

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number: 25-028

Record Number: PLN-2025-19194

Assessor's Parcel Number: 401-031-067

Making the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Recology Humboldt Samoa Conditional Use Permit and Coastal Development Permit Modification.

WHEREAS, Recology Humboldt Samoa Waste Facility submitted an application and evidence in support of approving the Conditional Use Permit and Coastal Development Permit Modification; and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on May 15, 2025, and reviewed, considered, and discussed the application for the Conditional Use Permit and Coastal Development Permit Modification, and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

- 1. FINDING:** A Modification to change the hours of operation of a previously approved Coastal Development Permit and Conditional Use Permit for the existing transfer station and recycling facility within the general industrial area of the town of Samoa. The 2.5-acre parcel is developed with a 43,750 square foot transfer station building, where loading and unloading activities occur. It is anticipated that no more than 175 vehicles per day will use the facility. The current approved hours of operation are 7 am to 5 pm, Monday through Friday, and 8 am to 5 pm, Saturday and Sunday. The modification requests to change the hours of operation from 5 am to 5 pm, seven days a week, Monday-Sunday.

EVIDENCE: a) Project File: PLN-2025-19194.

2. FINDING: **CEQA:** The requirements of the California Environmental Quality Act (CEQA) have been complied with.

EVIDENCE: a) The project complies with the requirements of the California Environmental Quality Act (CEQA). The Humboldt County Zoning Administrator has considered the 2013 Mitigated Negative Declaration previously adopted for the Eel River Disposal Samoa Waste Transfer Facility that was prepared for this project pursuant to Section 15164 of CEQA guidelines and the addendum to the Mitigated Negative Declaration.

3. FINDING: The project is consistent with the development policies of the Humboldt Bay Area Plan (HBAP).

EVIDENCE: a) Land Use 4.10.B: The proposed project is located within the HBAP land use designation Industrial General (MG), which is designated to provide for general industrial and manufacturing uses, typically in urban areas with convenient access to transportation systems and full range of urban services. The increase in operational hours for the existing transfer station is consistent with this designation.

b) Hazards 3.17: Minimize risks to life and property in areas of high geologic, flood and fire hazards. The subject parcel is located in an area of Moderate Instability (A2), it is not within a fault hazard zone or within an area of potential liquefaction. The subject parcel is within a Tsunami Hazard Area, but outside of the 100-year FEMA identified flood plain. The subject parcel is within the Local Response Area with Peninsula Community Services District providing structural fire protection as well as responding to medical emergencies. No increased threats or hazards are anticipated as a result of the increased hours of operation.

c) Archaeological and Paleontological Resources 3.18. The proposed project is not anticipated to impact any cultural resources or Tribal cultural resources. The project is for the

increase of operational hours only and no development or ground disturbance is proposed.

- d) Housing 3.28. New housing in the Coastal Zone shall be consistent with the goals, policies, standards, and programs of the Humboldt County Housing Element. The subject parcel is zoned General Industrial (MG) and was not included in the 2019 Adopted Housing Element Inventory. The project does not add or subtract from the housing inventory.
- e) Natural Resource Protection Policies and Standards 3.30. Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and only uses dependent on such resources shall be allowed within such areas. According to the California Natural Diversity Database (CNDDB) which identifies rare or endangered species, the subject parcel is within range of the Marsh Pea, Western Sand-Spurrey, Western Bumble Bee, Western Snowy Plover, Coastal Marsh Milk-Vetch and Yellow Rail. Even though the project is within this identified range of these species, there is no development associated with this project, only the addition of operational hours. The additional hours of operation, within the area that is zoned and used for Industrial uses, is not anticipated to impact Natural Resources.
- f) Visual Resource Protection 3.40. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. No new buildings are proposed, and only additional hours of operation are proposed. The site is developed with a 43,750 square foot building and a 300 square foot outbuilding. Due to the site's flat topography, the building is visible from the surrounding area. The structure does not, however, obstruct any views of Samoa's existing historic buildings. The size and appearance of the building is typical of other industrial uses on the Samoa Peninsula, and not within Coastal Zone Scenic Views or Areas. The proposed Modification will not alter natural landforms and will not impact compatibility with the character of surrounding areas.

4. FINDING: The proposed development is consistent with the Humboldt County Coastal Zoning Code.

EVIDENCE: a) The proposed increase in operational hours to an existing facility is consistent with the Humboldt County Coastal Zoning Code. The site is zoned Industrial General (MG), which allows a solid waste disposal facility with a Conditional Use Permit. The transfer station was conditionally approved in 2013. No change of use or development is proposed as part of this Conditional Use Permit and Coastal Development Permit Modification.

5. FINDING: The project conforms with all applicable standards and requirements of these regulations.

EVIDENCE: a) The proposed increase in operational hours to an existing facility is consistent with all applicable standards and requirements of these regulations. No change of use or development is proposed as part of this Conditional Use Permit and Coastal Development Permit Modification.

6. FINDING: The project and the conditions under which it may be operated or maintained will not be detrimental to public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE: a) The proposed increase in operational hours to an existing facility is not anticipated to be detrimental to public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. No change of use or development is proposed as part of this Conditional Use Permit and Coastal Development Permit Modification.

7. FINDING: The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

EVIDENCE: a) The subject parcel is zoned General Industrial (MG) and was not included in the 2019 Adopted Housing Element Inventory. The

proposed increase of operational hours to the existing transfer station operation does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

8. FINDING:

The project is consistent with the development policies of the Samoa Town Master Plan (STMP), which provide for the comprehensive planning and orderly development of the community of Samoa.

EVIDENCE:

- a) The proposed increase of operational hours for the existing transfer station is not anticipated to impact the planning or development of the community of Samoa. The 2013 Mitigated Negative Declaration assessed potential impacts and identified mitigation measures needed to be consistent with the STMP. There is no new development proposed, no grading, no additional stormwater runoff or water quality impacts, no remediation of contamination or additional impacts to any Environmentally Sensitive Habitat Areas or wetlands as a result of increasing the hours of operation. The proposed increase in operational hours is consistent with the policies of the STMP.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

- Adopt the findings set forth in this resolution; and
- Approve the Conditional Use Permit and Coastal Development Permit Modification for Humboldt Recology- Samoa Waste Facility to extend the hours of operation to 5am to 5pm, 7 days a week, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachments 1A and incorporated herein by reference.

Adopted after review and consideration of all the evidence on **May 15, 2025**.

The motion was made by COMMISSIONER SARAH WEST and seconded by COMMISSIONER THOMAS MULDER and the following vote:

AYES: Commissioners: Sarah West, Thomas Mulder, Peggy O'Neill, Noah Levy, Iver Skavdal, Lorna McFarlane

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners: Jerome Qiriaz

DECISION: Motion carried 6/0

I, John H. Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Planning Commission at a meeting held on the date noted above.



John H. Ford, Director
Planning and Building Department

CONDITIONS OF APPROVAL

APPROVAL OF THE COASTAL DEVELOPMENT PERMIT AND CONDITIONAL USE PERMIT MODIFICATION IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS:

A. General Conditions

1. All development shall conform to the approved plan.
2. Lights shall be directed on site and shielded where necessary to reduce glare on the adjacent roadway.
3. Maximum noise levels prior to 6:00 am shall be no greater than seventy (70) dB at the property lines. Following one (1) or more noise complaints, the permit holder shall install a noise sensor at the property line and provide recorded data to the Planning and Building Department upon request.
4. The Applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the Applicant after the Zoning Administrator decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

Informational Notes:

1. If cultural resources are encountered during any construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, ground stone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

The applicant is ultimately responsible for ensuring compliance with this condition.

2. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
3. The Coastal Development Permit shall expire and become null and void at the expiration of two (2) years after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must be commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.