

PLANNING COMMISSION

Robert Morris
Chair - Second District
David Edmonds
Vice Chair - At Large
Alan Bongio
First District
Noah Levy
Third District
Kevin McKenny
Fourth District
Ben Shepherd
Fifth District
Brian Mitchell
At Large



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, March 15, 2018

6:00 PM

Special Meeting

CALL TO ORDER / SALUTE TO FLAG

Chair Morris called the meeting to order at 6:00 p.m.

COMMISSIONERS PRESENT

AGENDA MODIFICATIONS

APPROVAL OF ACTION SUMMARY

1 Approval of the September 7, 2017 Action Summary.

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, and Commissioner Shepherd

2 Approve the November 02, 2017 Action Summary.

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, and Commissioner Shepherd

3 Approve the November 16, 2017 Action Summary.

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, and Commissioner Shepherd

- 4 Approve the November 30, 2017 Action Summary.

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, and Commissioner Shepherd

PUBLIC COMMENTS

CONSENT AGENDA

- 5 Pettlon Final Map Subdivision and Planned Development Permit Extension
Case Numbers FMS-14-001X, PDP-14-001X
Assessor Parcel Number (APN) 510-121-026
1417 Railroad Drive, McKinleyville area

A two-year extension of a Major Subdivision of an approximately 1.58 acre parcel into seven residential lots utilizing a Planned Unit Development. The Planned Unit Development requests reduced front yard setbacks on proposed Lot 7, a reduced right of way width and a reduced minimum lot width on proposed Lots 1, 2 and 3. The parcel is currently vacant and will be served with community water and sewer by the McKinleyville Community Services District. No change to the original project is proposed. This is the first extension requested and if approved, the extension will expire on December 14, 2019.

A motion was made by Commissioner Levy, seconded by Commissioner Edmonds, that this Zoning Item be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, and Commissioner Shepherd

- 6 Nikolai Erickson, Full Moon Farms, MBC Conditional Use Permit
Case Numbers CUP 16-187
Assessor's Parcel Numbers (APN) 210-022-003
30225 State Highway 36, Bridgeville area

A Conditional Use Permit (CUP) is sought for an existing 42,000 square foot (sf) outdoor and an existing 1,800 sf mixed light commercial medical cannabis cultivation. The applicant estimates 35,429 gallons of water were used in 2016 and 97,637 gallons of water was projected to be used in 2017 to meet cultivation needs on the 94 acre parcel. There are fourteen water storage tanks totaling 62,300 gallons. An Initial Statement of Water Diversion for Small Domestic Use and a Stream Alteration Permit have been filed for the only water source on the site, a Class II diversion. This permit allows no more than 150 gallons of water diverted per day for strictly domestic use. The applicant is pursuing an amendment to this agreement to reflect the diversion for cannabis cultivation. To meet the water demands of the commercial cultivation operation the applicant has applied to install a well and to increase water storage to 150,000 gallons in 2018. Additionally, appurtenant processing of cannabis product grown on-site will occur inside an existing 1,800 sf multi-use building. There will be a total of six seasonal and one full time employee at full operation. Portable toilets, hand washing stations, and potable water is to be provided until an onsite septic system is permitted. Electricity is provided by Pacific Gas and Electric. In addition to the multi-use building, there is also a storage shed and two dilapidated buildings that are to be removed. Construction of one additional storage shed is planned. The Applicant has provided a WRPP prepared by Timberland Resource Consultants and a Cultural Resources Survey prepared by Alta Archaeological Consulting. No cultural resources were found within the area of potential effect.

A motion was made by Commissioner Levy, seconded by Commissioner Edmonds, that this Zoning Item be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, and Commissioner Shepherd

- 7 Coyote Ridge Farm, LLC, Conditional Use Permit
Case Number CUP 16-613
Assessor's Parcel Number (APN) 210-250-010
Coyote Ridge Road, Dinsmore Area

A Conditional Use Permit for 10,450 square feet (sf) of existing mixed-light and 16,952 sf of existing outdoor cannabis cultivation. Two harvests of mixed-light occur annually. Irrigation water is sourced from two wells and rainwater catchment ponds. Water is stored in hard tanks (28,200 gallons) and two ponds (330,000 gallons), for a total of 358,200 gallons of available water storage. Annual water use is approximately 315,000 gallons. Processing, including drying and trimming, occurs in an existing on-site processing facility. Electricity is provided by solar panels and backup generators. The number of employees typically on-site is three, and the peak number of employees is five. Wastewater disposal is managed through an existing on-site septic system.

A motion was made by Commissioner Levy, seconded by Commissioner Edmonds, that this Zoning Item be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, and Commissioner Shepherd

8 Brian Garlick Conditional Use Permit

Case Numbers CUP 16-375

Assessor's Parcel Numbers (APN) 206-311-020

7424 State Highway 36, Carlotta area

A Conditional Use Permit (CUP) is sought for an existing 16,500 square foot (SF) outdoor and an existing 2,880 SF mixed light commercial medical cannabis cultivation. The applicant estimates 207,000 gallons of water were used in 2016 on the 21 acre parcel. Water is derived from a preexisting non-permitted well that may be hydrologically connected to the Van Duzen River. As a result, the applicant plans to install 110,000 gallons of hard tank storage in order to forbear from summertime diversion and to obtain a Streambed Alteration Agreement from CA Department of Fish and Wildlife and secure appropriative water rights with the State Water Board. Processing will occur offsite at a certified facility. There is one residence, one barn, one greenhouse, and two outdoor cultivation areas. There will be a total of three full time and up to ten seasonal employees during peak periods. A 120 SF employee breakroom facility is planned along with a permitted septic system. In the interim, portable toilets with hand washing stations will be provided until an onsite septic system is permitted. Electricity to the barn and residence is provided by Pacific Gas and Electric and electricity to the mixed light greenhouse is provided by a generator with a demonstrated audible rating below 60 dB at the nearest tree line. The Applicant has provided a Water Resource Protection Plan (WRPP), a Biological Assessment Survey that mapped sensitive riparian wetland areas, and filed a Notice of Intent to enroll as a Tier 2 discharger.

A motion was made by Commissioner Shepherd, seconded by Commissioner Levy, that this Zoning Item be approved as amended by the Commission to add that generator and fuel to be removed from November 1 - April 1 and the generator location will be outside the riparian area of a min of 200 feet and removing the reference to mixed light cultivation. The motion carried by the following vote:

Aye: 5 - Commissioner Morris, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, and Commissioner Shepherd

Nay: 1 - Commissioner Edmonds

- 9 Hummingbird Healing Center Conditional Use Permit
Case Number CUP 16-140
Assessor's Parcel Number (APN) 508-242-042
1580 Nursery Way, Suite B-E, McKinleyville, CA 95519

A Conditional Use Permit pursuant to Section 314-55.3 et seq. of the Humboldt County Code for the operation of a medical cannabis dispensary and adult use cannabis retail dispensary. The proposed dispensary (project) would be located within 2,235 square feet of an existing commercial building. The proposed project would have three full-time employees and the hours of operation would be 10:00 a.m. to 7:00 p.m., seven days a week. The subject parcel is served community water and sewer by McKinleyville Community Services District.

A motion was made by Commissioner Levy, seconded by Commissioner Edmonds, that this Zoning Item be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, and Commissioner Shepherd

PUBLIC HEARINGS

- 10** First MC Processing, LLC Conditional Use Permit and Special Permits
MC Marketing Group, LLC Special Permit
Case Numbers: CUP16-531, SP16-932, SP16-17-175, SP16-393
Assessor's Parcel Number (APN): 032-012-001
615 Bear Creek Road, Garberville area

A Conditional Use Permit (CUP) for a cannabis dispensary, a Special Permit (SP) for a commercial medical cannabis processing facility, a SP for a medical cannabis distribution facility and a SP for a parking exception within two applications on the same property. The cannabis dispensary would be located within Unit A with its storefront facing Bear Creek Road/Redwood Drive. The SPs for manufacturing and distribution would be located within Unit B of an existing structure. The Applicant is proposing manufacturing that entail utilizing non-volatile CO2 to extract raw cannabis oil from cannabis plants. Products to be processed and manufactured include bulk cannabis oil and vaporization cartridges. Additional products, such as pre-rolled cannabis joints, flower packaging and manufacturing of concentrates, such as rosin or ice hash may be manufactured here depending on market demand (APPS #12081). The proposed distribution facility would transport medical cannabis products between license types and to testing facilities (APPS #12084). The Applicant is requesting an exception to the parking requirements regarding location and number of parking spaces. The proposed uses require one parking space compliant with the Americans with Disabilities Act (ADA), which is proposed in the existing driveway. The loading space for deliveries would be parallel and directly in front of the existing structure. Conditions of Approval require all loading and unloading occur after business hours to avoid blocking the ADA-compliant parking space in the driveway. Approval of the parking exception request would be required for approval of the proposed projects. The parcel is served by P.G. & E. Water and sewer service is provided by Garberville Sanitary District.

Meeting went into Recess

Meeting Reconvened

A motion was made by Commissioner Shepherd, seconded by Commissioner Bongio, that this Zoning Item be continued to a date uncertain. The motion carried by the following vote:

Aye: 5 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner McKenny, and Commissioner Shepherd

Nay: 1 - Commissioner Levy

ADJOURNMENT

Chair Morris adjourned the meeting at 8:18 p.m.

NEXT MEETINGS

April 5, 2018 Regular Meeting

April 19, 2018 Special Meeting

I, SUZANNE LIPPRE, Planning Commission Clerk, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct original record of the above entitled meeting of the Humboldt County Planning Commission held in Eureka, California.

SUZANNE LIPPRE

Planning Commission Clerk of the County of Humboldt, State of California.