



MINUTES

THURSDAY, September 1, 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 15, 2022, with the vote as shown below.

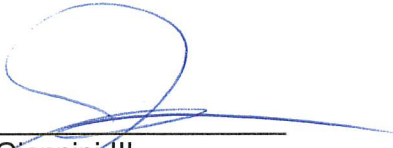
The motion was made by Commissioner Brian Mitchell and seconded by Commissioner Noah Levy.

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

ABSENT: Commissioners Thomas Mulder, Mike Newman

ABSTAIN: Commissioners

DECISION: Motion carries 5/2



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, September 1, 2022

6:00 PM

Regular Meeting - Hybrid

NOTE: The County of Humboldt Planning Commission meeting will be held virtually pursuant to Assembly Bill 361 until further notice.

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 channel 10*

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 in regard to this matter 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 raise your hand 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, you can 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 to the conference line. When the Planning Commissioner 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 that 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, August 31, 2022. 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 Friday, August 26, 2022, 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.

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. The public is invited to make comments during the Public Comment period for non-agenda items, not appearing on the agenda. All speakers are invited to state and spell their names but are not required to do so.

A. CALL TO ORDER / SALUTE TO FLAG**B. COMMISSIONERS PRESENT**

Present : 6 - Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Brian Mitchell, Commissioner Mike L Newman, Commissioner Melanie McCavour and Commissioner Peggy O'Neill
Absent : 1 - Commissioner Thomas Mulder

C. AGENDA MODIFICATIONS

Place the Friends of the Dunes as Public Hearing item number 1 and Place Schneider Coastal Development Permit Modification as number 2.

D. DISCUSSION ON REMOTE MEETINGS

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

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

E. PUBLIC COMMENTS

Public Comment Period was opened and closed

F. CONSENT AGENDA

1. Review and approval of July 21, 2022, Action Summary

A motion was made to approve staff recommendations. The motion carried by the following vote:

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

2. Review and approval of July 28, 2022, Action Summary;

A motion was made to approve staff recommendations. The motion carried by the following vote:

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

3. Review and approval of August 4, 2022, Action Summary;

A motion was made to approve staff recommendations. The motion carried by the following vote:

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

4. Review and approval of August 18, 2022, Action Summary;

A motion was made to approve staff recommendations. The motion carried by the following vote:

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

G. ITEMS PULLED FROM CONSENT

5. H1 Canyon, LLC; Conditional Use Permit
Record Number PLN-10845-CUP (filed 08/05/2016)
Assessor's Parcel Number: 524-115-006
Willow Creek area

A Conditional Use Permit for 42,188 square feet (sf) of existing outdoor commercial cannabis cultivation with 3,770 sf of ancillary propagation. The main water source is a 400,000 gallon rainwater catchment pond. Supplemental water comes from a well and two on-site spring diversions under Water Right Certificate H100110. The applicant has obtained a Well Assessment from a licensed geologist supporting the continued use of the well. Water is stored in the 400,000 gallon pond as well as hard tanks for a total of 439,300 gallons. Annual projected water usage is 413,775 gallons (9 gal/sf/yr). Product will be dried on-site and additional processing will occur off-site at a licensed facility. Two (2) to four (4) employees will be used for cultivation activities. Power is sourced by four (4) generators used for drying, and the project will transition to 100% renewable energy by 2020. This application includes a Special Permit for the relocation and remediation of a historic cultivation area in the Stream Management Area, and a Special Permit to reduce the 600-ft setback to public lands (SRNF) to approximately 220 feet. The Humboldt County Planning Commission will consider an Addendum to a previously adopted MND and has been prepared for consideration per §15164 of the State CEQA Guidelines.

A motion was made by Commissioner O'Neill, seconded by Commissioner Levy, that H1 Canyon project be continued to September 15, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner O'Neil

H. PUBLIC HEARINGS

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 Mitchell, seconded by Commissioner Levy, that the Schneider Coastal Development Permit Modification be Continued to a date uncertain. The motion carried by the following vote:

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

Recused: 1 - Commissioner McCavour

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 McCavour, that the recommendations be approved. The motion carried by the following vote:

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

Nay: 1 - Commissioner Bongio

- 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.

A motion was made by Commissioner O'Neill, seconded by Commissioner Levy, that the Amendments to the Inland Zoning Regulations, General Plan, and Coastal Zoning Regulations Pertaining to Emergency Shelters be Continued to September 15, 2022. The motion carried by the following vote:

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

I. ADJOURNMENT

J. NEXT MEETING September 15, 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 Clerk of the Board at (707) 476-2384, or (707) 445-7299 (fax). Requests for such modifications or accommodations must be made at least three full business days before the start of the meeting.