

PLANNING COMMISSION

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JOHN H. FORD
Director, Planning and Building

**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

825 Fifth Street
Board of Supervisors Chambers
Eureka, California

REVISED AGENDA

Thursday, November 3, 2022

6:00 PM

Regular Meeting - Hybrid

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**

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, November 02, 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, October 28, 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****C. AGENDA MODIFICATIONS****D. ELECTION OF CHAIR AND VICE CHAIR****E. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

At this time persons may appear before this Commission on any matter pertinent to the Commission's Jurisdiction and that is 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.

F. 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. Adoption of Resolution Authorizing Remote Teleconference Meetings of the Humboldt County Planning Commission for the period of November 3, 2022, through December 3, 2022, Pursuant to the Ralph M. Brown Act.

Attachments: [PC Resolution 22-0XX County of Humboldt Remote Meetings AB-361 11.03.22](#)

2. Review and approval of October 20, 2022, Action Summary;

Recommendation: Approve the October 20, 2022, Action Summary

Attachments: [PC Action Summary 10.20.22](#)

3. Humboldt Native Healing, Conditional Use Permit and Special Permit Denial
Assessor Parcel Number (APN) 522-470-009
Record No.: PLN-11678-CUP
Willow Creek area

A Conditional Use Permit for 5,000 square feet (sf) of new outdoor commercial cannabis cultivation, a Special Permit for 5,000 sf of new indoor commercial cannabis cultivation, and a Special Permit for a setback reduction from public lands. Water is proposed to come from the Willow Creek Community Services District, and there is no water storage on-site. Processing will occur on-site in the Barn, and the site will be owner-operated with no employees. Power will be sourced from PG&E.

Recommendation: Project withdrawn by Applicant; no action required by Planning Commission.
Placed on Agenda because it was legally noticed.

Attachments: [Attachment 1 - Public Comment](#)

4. Buck Mountain Gardens, LLC, Special Permit Denial
Application Number PLN-2020-16826
Assessor's Parcel Number (APN) 210-142-005-000
Dinsmore area

A Special Permit 10,000 sf of new outdoor commercial cannabis cultivation. Water for irrigation is sourced from a 250,000-gallon rainwater catchment pond. Projected annual water usage totals 88,000 gallons and there is 10,600 gallons of hard tank water storage onsite. Drying and curing will occur on site and trimming will occur offsite at a licensed third-party processing facility. A portable generator is proposed to be used to power small hand tools.

Recommendation: That the Planning Commission:

1. Describe the application as part of the Consent Agenda
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda; and
4. Adopt the resolution (Resolution 22-__). (Attachment 1) which does the following:
 - a. Find Buck Mountain Gardens, LLC, statutorily exempt from the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines.
 - b. Find the applicant has not provided sufficient evidence necessary to make the required findings for approval
 - c. Deny the Buck Mountain Gardens, LLC, Special Permit.

Attachments: [16826 Buck Mountain Gardens Denial Staff Report 11.03.22](#)
[Attachment 1 - Draft Resolution](#)
[Attachment 1A - Cultivation and Operations Plan](#)
[Attachment 1B - Site Plan](#)
[Attachment 2 - Location Maps](#)
[Attachment 3 - Resolution 18-43](#)
[Attachment 4 - Deficiency Letter Regarding Watershed](#)
[Attachment 5 - Public Comment](#)

5. South Fork River Ranch, LLC, Conditional Use Permit and Special Permits

Record Number: PLN-13164-CUP (filed 12/30/2016)

Assessor Parcel Numbers (APN) 524-114-005

Willow Creek area

A Conditional Use Permit for 18,200 square feet (SF) of existing outdoor cannabis cultivation and 1,600 SF of ancillary propagation. Water for irrigation is sourced from rainwater catchment supplemented by a point of diversion. Existing available water storage is 113,800 gallons stored in a 100,000-gallon rainwater catchment pond and a series of hard-sided water tanks, with an additional 65,000 gallons of storage proposed in tanks, for a total of 178,800 gallons of onsite water storage. Estimated annual water usage is 169,329 gallons. Drying and curing occurs onsite, with all other processing occurring off-site at a licensed processing or manufacturing facility. Electricity is sourced from generator power. Special Permits are also requested for continued use and maintenance of the point of diversion infrastructure and for a reduction to the 600-foot setback to adjacent public lands.

Recommendation:

That the Planning Commission:

1. Describe the application as part of the Consent Agenda
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda; and
4. Adopt the resolution (Resolution 22-__). (Attachment 1) which does the following:
 - a. Finds that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration for the Commercial Cannabis Land Use Ordinance that was prepared for South Fork River Ranch, LLC; and
 - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the South Fork River Ranch, LLC, Conditional Use Permit and Special Permits subject to the recommended conditions of approval (Attachment 1A)

Attachments: [13164 South Fork River Ranch Staff Report 11.03.22](#)
 [Attachment 1 - Draft Resolution](#)
 [Attachment 1A - Conditions of Approval](#)
 [Attachment 1B - Cultivation and Operations Plan](#)
 [Attachment 1C - Site Plan](#)
 [Attachment 2 - Location Maps](#)
 [Attachment 2A - Watershed Map](#)
 [Attachment 3 - CEQA Addendum](#)
 [Attachment 4 - Applicant's Evidence in Support of the Required Findings](#)
 [Attachment 4A - Site Management Plan](#)
 [Attachment 4B - Right to Divert and Use Water Certificate](#)
 [Attachment 4C - Notice of Applicability](#)
 [Attachment 4D - Lake and Streambed Alteration Agreement](#)
 [Attachment 4E - Timberland Conversion Evaluation Report](#)
 [Attachment 4F - Road Evaluation Report by Omsberg and Preston](#)
 [Attachment 4G - Public Works Road Evaluation Report Form \(signed\)](#)
 [Attachment 5 - Referral Agency Comments and Recommendations](#)

6. Collins/Goldstein, Parcel Map Subdivision
Application Number PLN-2022-17740
Assessor Parcel Number (APN) 509-061-025
2500 block of Sutter Road, McKinleyville area

A Minor Subdivision of an approximately 10-acre parcel into four parcels of approximately 20,000 square feet, 30,830 square feet, 32,336 square feet and 7.97 acres. A Planned Development Permit is requested to allow significantly reduced sizes and clustering of development along the road frontage, to observe setbacks from riparian and wetland areas associated with Mill Creek. The site is currently vacant and will be served with community water and sewer provided by the McKinleyville Community Services District. The majority of the parcel is forested with the exception of the northern portion, which was cleared as part of a recent less than 3-acre conversion completed in late 2021.

Recommendation: That the Planning Commission:

1. Describe the application as part of the Consent Agenda
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda; and
4. Adopt the resolution (Resolution 22-__). (Attachment 1) which does the following:
 - a. Find the project exempt from further environmental review pursuant to Section 15183 of the State CEQA Guidelines); and
 - b. Make all of the required findings for approval of the Parcel Map Subdivision, including the exception request allowing reduced right-of-way width; and
 - c. Approve the Collins-Goldstein Minor Subdivision subject to the recommended

conditions.

Attachments: [17740 Collins.Goldstein Subdivision Staff Report 11.03.22](#)
 [Attachment 1 - Draft Resolution](#)
 [Attachment 1A - Conditions of Approval](#)
 [Attachment 1B - Public Works Subdivision Requirements](#)
 [Attachment 1C - Tentative Map](#)
 [Attachment 2 - Location Map](#)
 [Attachment 3 - Applicant's Evidence In Support of The Required Findings](#)
 [Attachment 3A - Exception Request Letter to Required Right of Way Width](#)
 [Attachment 4 - Referral Agency Comments and Recommendations](#)

7. North Coast Hitching Post Coastal Development Permit & Special Permit
Assessor Parcel Numbers (APN) 308-131-033
Record No.: PLN-2022-17766
Table Bluff area

A Coastal Development Permit and Special Permit to authorize a seasonal venue for special events (primarily weddings) between May and October. A maximum of 200 guests per event and 18 events per year are proposed. Events are mainly expected to occur during weekends (Friday through Sunday) and only occasionally on a weekday. During the day of an event, activity will begin no earlier than 10am and end no later than midnight. Events will be staged from an historic barn and grassy areas around the structure. A nearby small cottage on the property will also be available for short-term rental both during and separately from events. Portable toilets will be used during events and on-site parking will be made available in several areas of mowed grass/pasture. Alcohol and food will be served during events. Food for events will be provided through mobile food trucks, catering with off-site prep, or on-site barbecuing from an existing gravel area in back of the barn.

Recommendation: That the Planning Commission:

1. Describe the application as part of the Consent Agenda
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda; and
4. Adopt the resolution (Resolution 22-__). (Attachment 1) and thereby doing the following:
 - a. Find the project exempt from further environmental review pursuant to Section 15301 and 15304(e) of the State CEQA Guidelines
 - b. Make all of the required findings for approval of the Coastal Development Permit and Special Permit; and
 - c. Approve the North Coast Hitching Post project subject to the recommended conditions.

Attachments: [17766 North Coast Hitching Post Staff Report 11.03.22](#)
[Attachment 1 - Draft Resolution](#)
[Attachment 1A - Conditions of Approval](#)
[Attachment 1B - Public Works Conditions of Approval](#)
[Attachment 1C - Revised Site Plan](#)
[Attachment 2 - Location Map](#)
[Attachment 3 - Applicant's Evidence in Support of The Required Findings](#)
[Attachment 3A - Project Description from Applicant](#)
[Attachment 3B - Photos of Site](#)
[Attachment 4 - Referral Agency Comments and Recommendations](#)

8. John Callahan Variance

Assessor Parcel Numbers (APN) 513-181-010

Record Number: PLN-2022-17770

Westhaven area

A variance is being sought to allow a reduced building setback for a proposed new residence. The request seeks to reduce the setback to 5 feet from the eastern property line where a setback of 20 or 30 feet would ordinarily be required. A vegetation management easement will be granted over the adjoining parcel to allow for the maintenance of defensible space around the structure in the event of wildland fire. The parcel is currently developed with a well and septic system and an assortment of accessory structures.

Recommendation: That the Planning Commission:

1. Describe the application as part of the Consent Agenda
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda; and
4. Adopt the resolution (Resolution 22-__). (Attachment 1) and thereby doing the following:
 - a. Find the project exempt from further environmental review pursuant to Section 15303(a) of the State CEQA Guidelines
 - b. Make all of the required findings for approval of the Variance; and
 - c. Approve the Callahan Variance project subject to the recommended conditions.

Attachments: [17770 Callahan Variance Staff Report 11.03.22](#)
[Attachment 1 - Draft Resolution](#)
[Attachment 1A - Conditions of Approval](#)
[Attachment 1B - Site Plan](#)
[Attachment 2 - Location Map](#)
[Attachment 3 - Applicant's Evidence in Support of The Required Findings](#)
[Attachment 3A - Variance Justification Statement](#)
[Attachment 4 - Referral Agency Comments and Recommendations](#)

G. ITEMS PULLED FROM CONSENT**H. 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

I. REVIEW OF PLANNING COMMISSION RULES AND PROCEDURES

1. Review and allow Public Comment on the Planning Commission Rules and Procedures

Attachments: [Humboldt County Planning Commission Rules and Procedures](#)

J. NEW BUSINESS**K. REPORT FROM PLANNER****L. PLANNING COMMISSION DISCUSSION ITEMS****M. ADJOURNMENT**

NEXT MEETING November 17, 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.