

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, October 5, 2017

5:00 PM

Special Meeting

CALL TO ORDER / SALUTE TO FLAG

Chair Morris called the meeting to order at 5:03 PM

COMMISSIONERS PRESENT

Present 6 - Commissioner Robert E. Morris, Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Kevin McKenny, Commissioner Ben Shepherd, and Commissioner Brian Mitchell
Not 1 - Commissioner David Edmonds
Present

AGENDA MODIFICATIONS

Zoning Item 5 - The Clinic 99 Conditional Use Permit - was pulled from the Consent Agenda for a Public Hearing.

APPROVAL OF ACTION SUMMARY

September 21, 2017

A motion was made by Commissioner Levy, seconded by Commissioner Shepherd, to approve the September 21, 2017 Action Summary. The motion carried by the following vote:

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

Not Present: 2 - Commissioner Edmonds, and Commissioner McKenny

PUBLIC COMMENTS

DEPARTMENTAL REPORT

- 1 Cannabis Workshop: Zoning Ordinance Amendment Alternatives - Commercial Cannabis Land Use Ordinance (CCLUO)

This item provides an opportunity for the public and the Planning Commission to review and comment on policy alternatives developed in response to commission and public discussion during the first two ordinance workshops. Staff are prepared to conduct a review of the individual alternatives with the Commission during the workshop and provide recommendations and guidance on each of the specific areas of revision.

Discussion of the Zoning Ordinance Amendment alternatives was temporarily closed at 6:30 in order to begin the regular meeting and was scheduled to reconvene after Public Hearings.

CONSENT AGENDA

*Meeting went into Recess
Meeting Reconvened*

A motion was made by Commissioner Shepherd, seconded by Commissioner McKenny, to approve the items 2, 3 and 4 of the Consent Agenda with a Roll Call vote. The motion carried by the following vote:

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

Not Present: 1 - Commissioner Edmonds

- 2 Johannesen Zone Reclassification, Agricultural Preserve partial dis-establishment and partial cancellation, and Lot Line Adjustment
Case Numbers ZR-16-005, AGPN 17-001, LLA-16-034
Assessor Parcel Numbers 216-133-001, 216-141-006, 216-144-003, 223-013-003, 223-013-004
Garberville area

An application to rezone approximately 230 acres of Agriculture Exclusive with a Building Site combining zone specifying a minimum parcel size of 160 acres [AE-B5(160)] to Timber Production Zone (TPZ). The application includes the dis-establishment and immediate cancellation of an approximately 320 acre portion of an existing Class B agricultural preserve (Tooby Ranch). A lot line adjustment between 2 parcels is proposed, resulting in two parcels of 160 acres in size.

Action: Made all of the required findings, based on evidence in the staff report and public testimony, and recommended adoption of the Zone Reclassification, Agricultural Preserve partial dis-establishment and cancellation, and approval of the Lot Line Adjustment to the Board of Supervisors for the Johannesen project, subject to the recommended conditions.

3 Platinum Hills Ranch Conditional Use Permit

Application Number: 10269

Case Numbers: AA 16-033; CUP 16-012

Assessor's Parcel Number: 210-051-059

Bridgeville area on north side of State Highway 36

A Conditional Use Permit for an existing commercial medical cannabis operation on an approximately 40-acre parcel. The cultivation activities consist of 13,440 square feet of outdoor cultivation in seven 20-foot x 96-foot greenhouses (each being 1,920 square feet) and 30,120 square feet of open air cultivation. No supplemental light is used in the operation. The water source for the operation is an existing well. Water storage totals 46,500 gallons and consists of one 2,500-gallon water tanks, three 3,000-gallon water tanks, and seven 5,000-gallon water tanks. The projected water usage is 583,440 gallons per year. Processing will take place onsite in a proposed 1,200-square-foot building. All operations will be conducted by two workers living on the site in an existing residence. Security for the site consists of fencing and gated access. Pacific Gas & Electricity (PG&E) supplies power to the site. The applicant applied for a permit with the Humboldt County Division of Environmental Health (DEH) for the well in April 2013. The site is also served by a permitted on-site wastewater treatment system.

Action: Found the project exempt from environmental review pursuant to Sections 15301 and 15303 of the State CEQA Guidelines, made all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopted the Resolution approving the proposed Platinum Hills Ranch Conditional Use Permit, subject to the recommended conditions.

4 Tohnic, Inc. Conditional Use Permit

Case Numbers CUP16-144, SP17-049

Assessor's Parcel Number (APNs) 523-026-004-000

Willow Creek Area

Tohnic, Inc. is applying for a Conditional Use Permit and Special Permit for 39,500 square foot existing outdoor cannabis cultivation and ancillary processing activities on an approximately 160-acre parcel. The CUP is for the existing outdoor cultivation, and the SP is to allow cultivation within 600 feet of public lands managed for open space and/or wildlife purposes.

Action: Found the project exempt from environmental review pursuant to Section 15301 of the State CEQA Guidelines, made all the required findings, based on evidence in the staff report and conditionally approve the Tohnic, Inc. application for a Conditional Use Permit and Special Permit subject to the conditions of approval.

PUBLIC HEARINGS

- 5 The Clinic 99 Conditional Use Permit
 Application Number 11340
 Case Number CUP 16-133
 Assessor’s Parcel Number 211-362-016
 15500 Dyerville Loop Rd, Miranda, CA 95553

The Clinic 99 seeks a Conditional Use Permit (CUP16-233) for 42,860 square feet of existing cultivation on a 111.5 acres parcel. The cultivation activities include 32,860 square feet of outdoor and 10,000 square feet of mixed light cultivation. The cultivation is currently in five different locations within the property, the applicant proposes to relocate 3 sites and a portion of a 4th site to a more consolidated location. The water source will include a permitted well and a new well to supplement the cultivation and domestic use. Water storage will include five 5,000 gallon water tanks for cultivation and a 2,500 gallon water tank for domestic use. The projected water usage is about 565,000 gallons a year. Processing will take place onsite in a proposed 4,000 square foot metal building, cannabis will be dried, cured, and machine trimmed or hand trimmed. The applicant will have a total of eight employees during the operation and a total of fourteen employees during peak season. The Clinic 99 has filed a Notice of Intent with the North Coast Water Quality Control Board under Tier 2.

A motion was made by Commissioner Shepherd, seconded by Commissioner McKenny, to find the project exempt from environmental review pursuant to Section 15304 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed The Clinic 99 Conditional Use Permit, subject to the recommended conditions. The motion carried by the following vote:

- Aye: 6 - Commissioner Morris, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell
- Not Present: 1 - Commissioner Edmonds

CONTINUED PUBLIC HEARINGS

*Meeting went into Recess
 Meeting Reconvened*

- 6 CannaBoutique Dispensary, LLC
Case Numbers CUP-16-632
Assessor Parcel Number (APN) 015-011-029-000
1672 Myrtle Avenue, Eureka area

A medical cannabis dispensary occupying approximately 1,200 square feet of an existing commercial building. A maximum of 6 employees will be on-site during the operating hours of 10 a.m. to 7 p.m. Monday through Friday. The subject parcel is served community water and sewer by Humboldt Community Services District.

A motion was made by Commissioner Mitchell, seconded by Commissioner Shepherd, to approve the Zoning Item. The motion failed by the following vote 3/3.

A second motion was made to continue the item to a date uncertain and that the applicant will provide more information in relation to the traffic impacts and parking. The motion passes by the following vote: 6/0.

Aye: 6 - Commissioner Morris, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell
Not Present: 1 - Commissioner Edmonds

CONTINUED DEPARTMENTAL REPORT

Discussion on the Cannabis Zoning Ordinance Amendment alternatives was reconvened.

ADJOURNMENT

Chair Morris called the meeting to close at 9:31 PM

NEXT MEETINGS

- October 19, 2017 Regular Meeting*
- November 2, 2017 Regular Meeting*

I, ETHAN AMEZCUA, 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.

*ETHAN AMEZCUA
Planning Commission Clerk of the County of Humboldt, State of California.*