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**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

**825 Fifth Street
Board of Supervisors Chambers
Eureka, California**

AGENDA

Thursday, October 18, 2018

6:00 PM

Special Meeting

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

CALL TO ORDER / SALUTE TO FLAG

COMMISSIONERS PRESENT

AGENDA MODIFICATIONS

PUBLIC COMMENTS

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.

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 Thompson Zone Reclassification
Application Number 12748
Case Number ZR-16-007
Assessor Parcel Number 522-272-006
39621 State Highway 299, Willow Creek area

A Zone Reclassification to change the zoning from Agricultural General (AG) to Community Commercial (C-2) and Flood Plain (FP). As part of the County's General Plan Update, the land use designation of the subject parcel was changed from Agriculture Suburban (AS) to Commercial Services (CS) and Conservation Floodway (CF) adjacent to the Trinity River. This change will implement the General Plan in advance of the County's rezone process. The adjacent parcels to the north are also zoned C-2. Upon adoption of the zone reclassification the applicant is proposing to develop a drive-through coffee business that will be built on a permanent foundation. The subject parcel is within the water service area of the Willow Creek Community Services District. The parcel is currently vacant.

Recommendation: Move to recommend that the Board of Supervisors consider the Addendum to the Environmental Impact Report (EIR) for the Humboldt County General Plan, State Clearinghouse No. 2007012089, adopted by the Board of Supervisors on October 23, 2017, in accordance with Section 15164 of the State CEQA Guidelines, and find that there is no substantial evidence that the proposed Zone Reclassification will have a significant effect on the environment, and make all of the required findings, based on evidence in the staff report and public testimony, and recommend the Board of Supervisors approve the Thompson Zone Reclassification application.

Attachments: [ZR 16-007 Staff Report.pdf](#)

2 Pure Nature, LLC, Conditional Use Permit

Application Number: 11075

Case Number: CUP16-142

Assessor's Parcel Number (APN): 223-132-001

444 Drew Drive, Garberville area

A Conditional Use Permit for an existing 13,884-square-foot commercial cannabis cultivation consisting of 6,300 square feet of outdoor and 7,584 square feet of mixed-light cultivation. Cultivation activities extend from February to November. The applicant estimates 88,640 gallons of water is required annually for irrigation. Water for irrigation is provided by a rainwater catchment system that collects runoff from roof structures and road side drainage. Water for domestic uses is sourced from an on-site spring. There is 12,750 gallons of existing water storage. The applicant is proposing to install 50,000 gallons of additional water tanks to hold rainwater collected from roof tops and roadside drainages. Processing, including drying, curing and trimming of cannabis will occur on-site in a proposed 800-square-foot processing facility. The power source is two small generators. The applicant is in the processing of bringing conventional grid power from P. G. & E. to the subject parcel.

Recommendation: Find the project exempt from environmental review pursuant to Sections 15301, 15303, and 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 Pure Nature LLC project subject to the recommended conditions.

Attachments: [CUP 16-142 Staff Report.pdf](#)

3 Matt Scott Conditional Use Permit

Application Number: 12403

Case Number: CUP16-665

Assessor's Parcel Number (APN): 209-351-083

Pepperwood area

A Conditional Use Permit for the operation of a commercial cannabis nursery in an existing 91,223 square foot industrial building. The floor area of the nursery is proposed to be 22,485 square feet. The nursery will operate year-round and will have a maximum of six employees. The on-site source of water of the nursery is an existing well. The applicant is also proposing to develop a rainwater catchment system that will capture rainwater from the rooftop. The applicant is proposing 20,000 gallons of water storage in hard-sided tanks. Once fully operational, approximately 7,970 gallons of water weekly will be required to meet operational needs. The nursery restrooms and wash stations are located within the commercial building and will be connected to the existing on-site commercial septic system. Power will be provided by P. G. & E.

Recommendation: Find the project Categorical Exempt from environmental review pursuant to Sections 15301 & 15303 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 Matt Scott Conditional Use Permit subject to the conditions of approval.

Attachments: [CUP 16-665 Staff Report.pdf](#)

4 Butterfly Creek Collective - Conditional Use Permit

Application Number 11232

Case Number CUP-16-193

Assessor's Parcel Number (APN) 522-174-014

400 Panther Creek Road, Willow Creek area

Applicant requests a Conditional Use Permit (CUP) for approximately 18,000 square feet (sf) of existing outdoor commercial cannabis cultivation. Irrigation water is provided by the Willow Creek Community Services District (WCCSD). Estimated annual water usage is approximately 221,600 gallons and the WCCSD provided a Will Serve letter for approximately 270,000 gallons which exceeds water needs. Existing water storage totals 5,000 gallons in two hard tanks. Two water bladders and a 20-foot wide off-stream pond (dry since 2016 and no signs of riparian habitat) will be removed for watershed protection. Processing occurs onsite in two existing 10-foot by 100-foot covered carport/shops totaling 2,000 sf. Applicant proposes to remove and replace the carports/shops with a new 2,500 sf metal building that will conform to commercial building standards. The applicant also proposes a septic tank, a 5.5 foot by 15 foot garbage and recycling enclosure, propane tank, and six (6) parking spaces including one ADA-compliance parking space. Up to three (3) seasonal employees will be utilized for cultivation activities and up to six (6) seasonal employees for processing activities. Power for the operation is provided by one generator and the applicant intends to connect to PGE.

Recommendation: Find the project exempt from environmental review pursuant to Sections 15301, 15303, and 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 Butterfly Creek Collective project subject to the recommended conditions.

Attachments: [CUP 16-193 Staff Report.pdf](#)

5 Johnston Parcel Map Subdivision Extension

Application Number 14146

Case Number PMS-05-019XXX

Assessor Parcel Number (APN) 509-113-010

1865 Lime Avenue, McKinleyville area

A third, two-year extension of a Parcel Map Subdivision (PMS-05-19), originally approved May 18, 2006 and extended twice by the applicant and automatically by several Assembly Bills. The project consists of a subdivision to create three parcels of 7,980 square feet, 6,975 square feet and 6,045 square feet. The parcel is currently 21,000 square feet in size and is developed with one single family residence that will remain on proposed Parcel 1. The project will require the removal of several mature Cypress trees to complete road improvements on First Street. The existing and proposed development is and will be served by community water and sewer. No change to the original project is proposed. This is the third extension requested by the applicant, and if approved, the extension will expire on May 31, 2020.

Recommendation: Move to make all of the required findings, based on evidence in the staff report, and approve the application(s) subject to the recommended conditions of approval.

Attachments: [PMS 05-019XXX Staff Report.pdf](#)

6 Ron Dias Final Map Subdivision, Coastal Development Permit and Special Permit Extension and Modification

Application Number 13627

Case Numbers FMS-03-002XXM, CDP-03-012XXM, SP-03-016XXM

Assessor Parcel Numbers (APNs) 017-152-022, 017-152-023, 017-152-024, 402-301-011

3127 Mitchell Heights Drive, Eureka area

A Modification of a Final Map Subdivision, Coastal Development Permit and Special Permit which was approved September 18, 2008. The original project was for the subdivision of 33.3 acres into thirteen (13) lots ranging in size from 1.25 to 4.51 acres. The subdivision included a Lot Size Modification, and included an exception to lot frontage requirements and a Special Permit to allow an exception to the lot width to depth ratio. The subdivision was phased as follows Phase 1 (Lots 1 through 3 and Remainder), Phase 2 (Lots 4 through 10 and Remainder) and Phase 3 (Lots 11 through 13). Phase 1 and Phase 2 have already been completed. The Modification will alter the configuration of Lots 11, 12 and 13 within the final phase of the subdivision. Also included is a two year extension, in addition to a previously authorized two-year extension and automatic extensions allowed by Senate Bill 1185, Assembly Bill 333, Assembly Bill 208 and Assembly Bill 116. The parcels will be served by community water and on-site sewage disposal systems. If approved, the extension will expire on July 17, 2019.

Recommendation: Consider the Addendum to the Mitigated Negative Declaration and make all of the required findings for approval of the Final Map Subdivision Modification, based on evidence in the staff report and public testimony, and adopt the resolution approving the Dias project subject to the recommended conditions of approval.

Attachments: [FMS 03-002XXM Staff Report.pdf](#)

- 7 Humboldt Bay Harbor, Recreation and Conservation District
Application Number 10741
Case Numbers: CDP-16-049/CUP-16-062
Assessor Parcel Numbers 401-112-021
364 Vance Avenue, Samoa area

A Coastal Development Permit and Conditional Use Permit to allow for interim uses on property zoned Coastal Dependent Industrial. The project would permit aquaculture, coastal-dependent, coastal-related, heavy industrial, research/light industrial, and other uses allowed under the newly adopted interim use provisions of the Humboldt Bay Area Plan. The proposed interim uses would occupy existing buildings/structures and utilize existing infrastructure at HBHRCD's Redwood Marine Terminal II (RMT II) facility (formerly the L-P Pulp Mill Site). The project application includes Plan of Operation Reports for 17 business tenants, two (2) coastal-dependent (aquaculture), one (1) coastal-related (sea salt manufacturing), and 14 interim non-coastal dependent uses (research/light industrial and warehousing, storage and distribution). A maximum term of seven (7) years for non-coastal dependent industrial interim uses is requested. The Humboldt Bay Harbor, Recreation and Conservation District is the lead agency under the California Environmental Quality Act and has adopted a Mitigated Negative Declaration for the project.

Recommendation: Find the proposed project consistent with Section 15096 (Process for a Responsible Agency) of the CEQA Guidelines, that all significant environmental impacts have been addressed in the MND for the project adopted by HBHRCD, and that no new changes or alterations have been made that require additional environmental review, and make all of the required findings for approval of the Coastal Development Permit and Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed HBHRCD Project subject to the recommended conditions.

Attachments: [CDP 16-049 Staff Report.pdf](#)

CONTINUED PUBLIC HEARINGS

8 County of Humboldt New Zoning Districts
Countywide

New Zoning Districts are proposed to be added to the Inland Zoning Ordinance and properties are proposed to be rezoned to be consistent with the 2017 Humboldt County General Plan. Implementation of Zoning Designations to be consistent with the Land Use Maps, adopted as part of the 2017 General Plan Update. The new Zoning Districts are proposed to be added to the Inland Zoning Ordinance (Section 314 of Title III, Division 1, Chapter 4 of Humboldt County Code) including the following: 1) new Mixed Use Zones that will be applied to areas with MU - Mixed Use, VC - Village Center, or RCC - Rural Community Center General Plan designations, 2) a new "RR - Railroad" Combining Zone that will be applied to railroad rights of way held by the North Coast Railroad Authority, and those along the former Annie and Mary Railroad rail corridor between Arcata and Blue Lake, and 3) a new "MR - Mineral Resources" Combining Zone that will be applied to parcels with permitted surface mining operations. In addition, specific zones are proposed to be assigned to all areas currently zoned "U - Unclassified". Other minor changes to the Zoning Maps are also proposed to be consistent with the General Plan. The proposed new Zone Districts and the rezoned properties occur throughout the non-coastal areas of unincorporated Humboldt County.

Attachments: [Item #5 GPU ZR Staff Report](#)

DEPARTMENT REPORT

9 Functional Road Requirements

Presentation by Public Works Land Use Deputy Director Bronkall regarding functional requirements for roads serving commercial cannabis sites.

OLD BUSINESS

10 Commercial Cannabis Application Process

Per the request of the Commission this item is up for further discussion and possible action.

ADJOURNMENT

NEXT MEETINGS

November 8, 2018 *Regular Meeting*