

PLANNING COMMISSION

Robert Morris  
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David Edmonds  
Vice Chair - At Large  
Alan Bongio  
First District  
Noah Levy  
Third District  
Mike L. Newman  
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 18, 2018

6:00 PM

Special Meeting

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**CALL TO ORDER / SALUTE TO FLAG**

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

**COMMISSIONERS PRESENT**

Present: 6 - Commissioner Robert Morris, Commissioner David Edmonds, Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Ben Shepherd, and Commissioner Mike L. Newman

Absent: 1 - Commissioner Brian Mitchell

**AGENDA MODIFICATIONS**

*Item #7: Applicant requests continuance to the November 15, 2018 meeting of the Planning Commission.*

*Correction to Next Meetings*

**PUBLIC COMMENTS**

**CONSENT AGENDA**

- 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.

***A motion was made by Commissioner Edmonds, seconded by Commissioner Shepherd, that the Thompson Zone Reclassification application be approved. The motion carried by the following vote:***

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

- 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.

***A motion was made by Commissioner Shepherd, seconded by Commissioner Levy, that the Pure Nature LLC Conditional Use Permit application be approved. The motion carried by the following vote:***

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

Nay: 1 - Commissioner Edmonds

- 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.

***A motion was made by Commissioner Shepherd, seconded by Commissioner Edmonds, that the Matt Scott Conditional Use Permit application be approved. The motion carried by the following vote:***

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

- 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.

*Meeting went into Recess*

*Meeting Reconvened*

***A motion was made by Commissioner Shepherd, seconded by Commissioner Newman, that the Butterfly Creek Collective Conditional Use Permit application be approved with revisions to the conditions of approval. . The motion carried by the following vote:***

Aye: 5 - Commissioner Morris, Commissioner Edmonds, Commissioner Levy, Commissioner Shepherd, and Commissioner Newman

Nay: 1 - Commissioner Bongio

- 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.

***A motion was made by Commissioner Shepherd, seconded by Commissioner Edmonds, that the Johnston Parcel Map Subdivision Extension application be approved. The motion carried by the following vote:***

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

- 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.

***A motion was made by Commissioner Shepherd, seconded by Commissioner Edmonds, that the Ron Dias Final Map Subdivision application be approved. The motion carried by the following vote:***

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

**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.

***A motion was made by Commissioner Levy, seconded by Commissioner Shepherd, that the Humboldt Bay Harbor District Coastal Development and Conditional Use Permit item be continued to the November 15, 2018 meeting of the Planning Commission. The motion carried by the following vote:***

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

## **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.

*The County of Humboldt New Zoning Districts item was continued to the November 1, 2018 meeting of the Planning Commission.*

## DEPARTMENT REPORT

- 9** Functional Road Requirements  
Presentation by Public Works Land Use Deputy Director Bronkall regarding functional requirements for roads serving commercial cannabis sites.

*The Public Works Departmental Report on Functional Road Requirements was continued to the November 1, 2018 meeting of the Planning Commission with start time of 5:30 pm for a special study session.*

## OLD BUSINESS

- 10** Commercial Cannabis Application Process  
Per the request of the Commission this item is up for further discussion and possible action.

*The Commercial Cannabis Application Process discussion item was continued to the November 1, 2018 meeting of the Planning Commission.*

## ADJOURNMENT

*Chair Morris adjourned the meeting at 9:30 p.m.*

## NEXT MEETINGS

**November 1, 2018**

**November 15, 2018**

*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.*