

PLANNING COMMISSION

First District
Alan Bongio - Chair
Second District
Ronnie Pellegrini
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, January 7, 2021

6:00 PM

**Revised Agenda
Regular Meeting - Virtual**

NOTE: In accordance with Executive Order N-29-20 the Planning Commission meeting was held virtually.

A. CALL TO ORDER / SALUTE TO FLAG

Chair Alan Bongio called the meeting to order at 5:58 p.m.

B. COMMISSIONERS PRESENT

Present : 7 - Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Brian Mitchell,
Commissioner Mike L Newman, Commissioner Melanie McCavour, Commissioner
Peggy O'Neill and Commissioner Ronnie Pellegrini

C. AGENDA MODIFICATIONS

*Item F-1: Supplemental Information provided.
Item F-3: Supplemental Information provided.
Item F-4: Supplemental Information provided.
Item G-1: Supplemental Information provided.
Item G-2: Supplemental Information provided.*

D. PUBLIC COMMENTS

E. CONSENT AGENDA

1. Jim Cables, Parcel Map Subdivision and Lot Line Adjustment Extension (21-31)

Case Number PLN-2020-16349

Assessor Parcel Numbers 301-052-002; 301-052-012; 301-052-035

4629 Union Street, Eureka area

A two-year extension to a previously approved Parcel Map Subdivision and Lot Line Adjustment, originally approved June 21, 2018. The project includes a Lot Line Adjustment (LLA) between 2 existing parcels, resulting in 2 parcels of 0.62 acres and 3.77 acres. The purpose of the LLA is to remedy a structure that crosses a property line. The smaller parcel adjusted by the LLA is developed with four residences. The larger parcel is developed with five existing residences and will be divided into 3 parcels. Parcel 1 will be 12,237 square feet in size (0.28 acres), vacant and suitable for residential development. Parcel 2 will be 26,793 square feet in size (0.62 acres) and will contain 4 existing residences. Parcel 3 will be 125,721 square feet in size (2.89 acres) and contain 1 existing residence. All parcels are or will be served with community water and sewer provided by the Humboldt Community Services District. No change to the original project is proposed. This is the first extension requested, and if approved, the extension will expire on July 3, 2022.

A motion was made by Commissioner Mitchell, seconded by Commissioner Pellegrini, that the Jim Cables Parcel Map Subdivision and Lot Line Adjustment Extension be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

2. Rick Mock, Conditional Use Permit

Case Number CUP-16-004

Assessor's Parcel Numbers (APN) 522-345-012 and 018

39088 and 39090 St. Hwy. 299, Willow Creek area

An after the fact Conditional Use Permit (CUP) to allow the continuance of outdoor storage for a commercial operation involving the rental and sales of shipping containers that are typically used for storage on individual properties. The operations plan states that pick-up and drop-off of shipping containers would occur on appointment only basis. The shipping containers are placed behind the buildings at the rear portion of the parcels and outside the designated parking lot. The total area used to hold the shipping containers is approximately 15,450 square feet. Both parcels are developed with a commercial building (vacant).

A motion was made by Commissioner Mitchell, seconded by Commissioner Pellegrini, that the Rick Mock Conditional Use Permit be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

F. CONTINUED PUBLIC HEARING

1. Amendments to the Humboldt Bay Area Plan and Coastal Zoning Regulations to Allow the Samoa Peninsula Wastewater Project
Case Number: PLN 2020-16642
Samoa Peninsula area

The Humboldt Bay Area Plan (HBAP) and the Coastal Zoning Regulations are proposed to be amended to allow the Samoa Peninsula Wastewater Project (SPWP) to proceed. The SPWP includes the construction and operation of a consolidated wastewater collection, treatment, and disposal system intended to correct public health and water quality problems resulting from failed on-site wastewater treatment systems on the Samoa Peninsula outside the Town of Samoa, including the community of Fairhaven. The proposed amendments to allow the SPWP would: (1) provide an exception in the Humboldt Bay Area Plan to allow the extension of wastewater service outside the Urban Limit Line within the Peninsula Community Services District for existing structures served by on-site wastewater systems; and, (2) provide an exception in the Humboldt Bay Area Plan to allow wastewater from outside the Samoa Town Master Plan Overlay Area (STMP) to be treated at the STMP Wastewater Treatment Plant; and, (3) amending Section 311-7 of Chapter 1, Division 1, Title III, of Humboldt County Code (HCC) to change the zoning of properties in the Fairhaven area to apply a Q - Qualified Zone prescribing performance standards for new infill development in Fairhaven on parcels planned and zoned for residential uses located within 300 feet of the public sewer lines to address hazards relating to sea level rise and tsunami inundation and to protect Environmentally Sensitive Habitat Areas (EHSAs) as an interim measure while comprehensive planning that will culminate in future amendments to the HBAP that is underway to address exposure to sea level rise and tsunami hazards and ESHA protection in the area is complete.

A motion was made by Commissioner Levy, seconded by Commissioner Mitchell, that the Amendments to the Humboldt Bay Area Plan and Coastal Zoning Regulations to Allow the Samoa Peninsula Wastewater Project be recommended for approval by the Board of Supervisors. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

2. Draft Amendments to the Cannabis Dispensaries Ordinance
Case No.: PLN-2020-16688

Amendments to the Coastal and Inland Dispensary Ordinances (Section 313-55.3 and 314-55.3 of Chapter 4 of Division 1 of Title III of the Humboldt County Code) to modify the allowed hours of operation for cannabis dispensaries to conform to state law. The allowed hours of operation would expand to 6 a.m. to 10 p.m., which is seven hours longer than allowed under the current ordinance. Also, the Dispensaries Ordinance is being amended to ensure information is provided to both employees and the public about the danger of cannabis use during pregnancy and while breastfeeding.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Draft Amendments to the Cannabis Dispensaries Ordinance be recommended for approval by the Board of Supervisors. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

3. Ancient Truth Inc., Conditional Use Permit
Case Number PLN-10888-CUP
Assessor Parcel Number 210-042-003
Bridgeville area

A Conditional Use Permit for 22,000 square feet (SF) of existing mixed light, 43,560 SF of existing outdoor commercial cannabis cultivation. Processing is proposed to occur in a 2,500 SF existing building and alternate between processing activities and indoor cultivation. Power is currently provided by 3 (three) generators. The applicant proposes future electricity be provided by Pacific Gas and Electric (PG&E) in 2021. Water for irrigation is sourced from two existing permitted wells with an annual water demand estimate of 631,800 gallons per annum (9.64 gallons per SF) applied via drip irrigation. The applicant currently has 12,800 gallons of HDPE water tanks storage and proposes to add 11,500 gallons additional storage for a total of 24,300 gallons of water storage. The applicant proposes up to ten (10) employees.

A motion was made by Commissioner Newman, seconded by Commissioner Levy, that the Ancient Truth Inc Conditional Use Permit be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

4. Emerald Coast Genetics, Inc.; Conditional Use Permit, Special Permit
Record Number PLN-10559-CUP
Assessor's Parcel Number: 314-131-033
12395 Fickle Hill Road, Kneeland area

A Conditional Use Permit for 11,440 square feet of mixed light cannabis cultivation. Cultivation will take place in existing and proposed greenhouses, including on-site relocation of existing outdoor cultivation consolidated onto existing graded flats within greenhouses. Ancillary propagation activities will take place in a proposed 660 sf lean-to structure, and in the first story of the existing 2,640 sf permitted shop. This project includes a Special Permit for a setback reduction from public lands owned by the City of Arcata to allow cultivation within 150 feet of the public lands. The permitted, existing, two-story, 2,640 sf shop on site is proposed to be used for propagation activities, and as an employee break room. Processing will occur off-site at a licensed facility. Water is sourced from a permitted, on-site well, and estimated annual water use is 123,355 gallons. Water storage totals 6,500 gallons. Power is supplied by PG&E with a backup generator within a shed.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Emerald Coast Genetics, Inc. Conditional Use Permit and Special Permit be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

G. PUBLIC HEARINGS

Meeting went into Recess

Meeting Reconvened

1. Industrial Hemp Land Use Ordinance
Record Number: PLN-21019-15590
Unincorporated areas of Humboldt County, Including the Coastal Zone

Amendments to the Coastal and Inland Zoning Ordinances (Chapters 3 and 4 of Division 1 of Title III of the Humboldt County Code) to prohibit cultivation of industrial hemp in the unincorporated areas of Humboldt County including the coastal zone. The proposed ordinance amendments replace the temporary moratorium on the cultivation of industrial hemp currently in place until May 10, 2021 with a permanent moratorium. The Planning Commission will consider alternatives that include an allowance for cultivation of industrial hemp at the College of the Redwoods campus on Tompkins Hill Road for academic purposes.

A motion was made by Commissioner Pellegrini, seconded by Commissioner Mitchell, that the Industrial Hemp Land Use Ordinance be recommended for approval by the Board of Supervisors. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

2. Rolling Meadow Ranch, LLC, Conditional Use Permits

Record Number PLN-12529-CUP

Assessor Parcel Numbers (APNs) 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001

Blocksburg/Myers Flat area

Six Conditional Use Permits for 5.77 acres of mixed light cultivation and processing facilities located in five distinct cultivation areas. The proposed cannabis operation will be primarily located on APNs 217-181-002 and 217-201-001. Cultivation would occur in 16 greenhouses. Operations would occur year-round and there will be a maximum of four cultivation cycles annually. Annual water use is approximately 4,628,200 gallons. Water will be provided by three existing wells. There will be 320,000 gallons of hard-sided tank storage that will store rain from rooftop runoff. Processing, including drying, curing and trimming, will take place on site within 5 proposed processing structures totaling 33,750 square feet. There will be a maximum of 30 employees during peak operations. The proposed project includes development of power from P. G. & E. The overall development will total 7.04 acres. The project is accessed by McCann Road using the McCann Bridge. Approximately 5 miles of private ranch roads will be used to access cultivation areas. At the property entrance, employees will park their vehicles and an electric bus or similar type vehicle will be used to transport employees to the cultivation and processing areas. Secondary access through Alderpoint Road will be utilized during the rainy season when the low-water bridge is not in use.

A motion was made by Commissioner Mitchell, seconded by Commissioner Newman, that the Rolling Meadow Ranch, LLC, Conditional Use Permits be continued to the January 21, 2021. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

H. ITEMS PULLED FROM CONSENT**NEW BUSINESS****1. Election of Chair and Vice Chair for 2021**

A motion was made by Commissioner Newman, seconded by Commissioner O'Neill, to elect Alan Bongio to the Planning Commission Chair and elect Noah Levy to the Planning Commission Vice Chair. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

2. Departmental Report: Ad Hoc committee on Street Improvements

An update to be provided to the Planning Commission February 18, 2021.

I. ADJOURNMENT

Chair Alan Bongio adjourned the meeting at 9:03 p.m.

J. NEXT MEETING: January 21, 2021 6:00 p.m. Regular Meeting - Virtual

The County of Humboldt is committed to providing equal access to all county programs, services and activities through the provision of accommodations for individuals with disabilities as required under the Americans with Disabilities Act (ADA). With 72 hours prior notice, a request for reasonable accommodation or modification can be made. Please contact the Planning Commission Clerk at 707-445-7541 or by email planningclerk@co.humboldt.ca.us or the ADA Coordinator at 844-365-0352 or by email at ada@co.humboldt.ca.us