

PLANNING COMMISSION

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**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

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

AGENDA

Thursday, November 15, 2018

6:00 PM

Regular 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 Silk Ranch Cooperative Inc. - Conditional Use Permit

Application Number: 12043

Case Number: CUP-16-515

Assessor Parcel Number: 223-111-006

1710 Wade Road, Garberville area

A Conditional Use Permit (CUP) to authorize 24,000 square feet (SF) of existing outdoor medical cannabis cultivation. Processing (i.e., drying) the harvested cannabis will be conducted in a 1,600 SF permitted metal building. There will be an average of 6 employees. Power will be supplied by a 45-kilowatt (kW) ultra-silent MQ diesel generator. The applicant will begin the permitting process for a 20-kw solar system upon approval of this CUP. Water is provided by wells and a rainwater catchment pond. The total available water storage on the project site will be approximately 2,042,650 gallons stored in tanks and a large pond. All plants will be irrigated by a drip system and supplemented by hand watering. Water use will vary throughout the year with peak usage occurring during summer months and would total approximately 108,000 gallons annually. Domestic water will be provided by the existing permitted wells. An ADA compliant bathroom outside the metal building will be provided with a secondary septic system. A Special Permit is required for a setback reduction to public lands.

Recommendation: Find the project exempt from environmental review pursuant to Sections 15301, 15303, 15304 and 15333, 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 Silk Ranch Cooperative Inc., project subject to the recommended conditions.

Attachments: [CUP-16-515 Staff Report.pdf](#)

2 Emerald Essence, Inc., Conditional Use Permit and Special Permit

Application Number: 11114

Case Number: CUP 16-153

Assessor's Parcel Number: 211-373-033

On the South of Dyerville Loop Road, 2.66 miles southeast from the intersection of Elk Creek Road and Dyerville Loop, Myers Flat Area

A Conditional Use Permit for 34,776 square feet (SF) of existing outdoor cannabis cultivation, 3,000 SF of existing mixed light cultivation, a 2,000 SF nursery, and a new 2,800 SF processing facility on Assessor's Parcel Number (APN) 211-373-033, a parcel of 40 acres in size. A Special Permit for streamside management area (SMA) encroachment is also sought for the installation of a 100,000 gallon steel water tank and remediation of two riparian areas. Electricity is provided by gas powered generators. Up to four employees are anticipated on site during peak periods and will live off site. Portable toilets with hand washing stations will be used until a new onsite waste water treatment system can be permitted and installed to support the new facility. Irrigation water is diverted from a spring box located on an adjacent parcel to the east (APN 211-361-009) to 16,750 gallons of tank storage and one 6,500 gallon temporary bladder also on the adjacent parcel and to 12,300 gallons of tank storage on the subject parcel for a total combined storage of 35,550 gallons. Three additional 100,000 gallon rain catchment water tanks are proposed to be installed on the subject parcel in order to meet forbearance requirements. The Applicant estimates that approximately 235,000 gallons of irrigation water are needed annually.

Recommendation: Find the project exempt from environmental review pursuant to Sections 15301, 15303, 15304, and 15333 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and Special Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Emerald Essence, Inc. project subject to the recommended conditions.

Attachments: [CUP 16-153 Staff Report.pdf](#)

3 Aloha Humboldt, Inc. Conditional Use Permit and Special Permit

Application Number 11236

Case Number CUP-16-194

Assessor's Parcel Number (APN) 524-115-005

A Conditional Use Permit (CUP) to allow approximately 27,175 square feet (sf) of existing outdoor medical cannabis cultivation in both open air and greenhouses on property zoned Timberland Production (TPZ), and a Special Permit (SP) for a public lands setback reduction. The proposed project parcel is approximately 141 acres in area and is bounded by the United States Forest Service Six Rivers National Forest to the east and west, and two equally sized private parcels to the north and south. Water is sourced from a rainwater catchment system and two springs that supply the estimated 134,100 gallons needed for annual irrigation. Water is stored in 31 existing hard tanks and one water bladder totaling 87,750 gallons. The water bladder will be removed and replaced, and the applicant proposes to add additional water storage for a total of 127,750 gallons. Currently, water use varies throughout the year with peak usage during June, July, August, and September with 26,100, 27,000, 27,000, and 26,100 gallons, respectively. The proposed project would include two cultivation cycles annually. Processing activities will occur off-site until financially feasible to construct a processing facility. Two full-time employees (currently the applicant husband/wife team) are required for day-to-day operations, and a maximum of six employees may be required to meet operational needs. Travel to and from the project site will occur daily via the northern project boundary which is accessed via a USFS 6N06 Rd road from the County maintained Friday Ridge Road and provides direct access to California State Route 299 (SR-299). Power is supplied by a Kohler 14Kw composite standby generator.

Recommendation: Find the project exempt from environmental review pursuant to Sections 15301, 15302, 15303, 15304 and 15333 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and Special Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Aloha Humboldt Farms LLC. project subject to the recommended condition.

Attachments: [CUP 16-194 Staff Report.pdf](#)

4 H36P, LLC, Conditional Use Permit and Special Permit

Record Number: PLN-11754-CUP

Assessor's Parcel Number (APNs): 201-322-012

Highway 36, Alton area

Conditional Use Permits and a Special Permit for the development and operation of a new commercial cannabis dispensary, distribution facility and wholesale/retail cannabis nursery, and a Conditional Use Permit pursuant to the provisions of Qualified (Q) combining zone, Area 6, adopted as Ordinance No 1689 on May 28, 1985, and as amended by Ordinance No 1784 on December 16, 1986. A commercial cannabis cultivation, manufacturing, and processing facility on the site was approved by the Planning Commission at its meeting of November 1, 2018. At full build out the total size of the proposed project will be approximately 47,500 sf (1.09 acre), which would comprise approximately 20 percent of the 5.4-acre project site. Staffing at peak operation would be 37 employees. The distribution facility would occur as part of the overall operation and does not involve additional devoted square footage, and the nursery would be leased separately and would occur within a 6,000 square foot greenhouse. The facility would be fenced and there would be two full-time security guards. Electric service is provided by PGE with carbon offset purchased through the ClimateSmart program and the applicant plans to meet 100-percent renewable energy requirement with a solar array in the future.

Recommendation: Consider the previously adopted Initial Study and Mitigated Negative Declaration and make all of the required findings for approval of the Conditional Use and Special Permits based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed H36P LLC project subject to the recommended conditions.

Attachments: [PLN-2018-11754 Staff Report for PC 11.15.18.pdf](#)

5 SVK Consulting, Inc., Conditional Use Permit and Special Permit

Application Number: 11034

Case Number: CUP-16-133, SP-18-011

Assessor's Parcel Number (APNs): 210-074-001 and 210-063-002 (comprise one legal parcel)

Located in the Bridgeville area

A Conditional Use Permit (CUP) for the SVK Consulting, Inc. Medical Cannabis Cultivation Project (proposed project) consisting of approximately 35,406 square feet (sf) of existing outdoor cannabis cultivation and a Special Permit (SP) for a public lands setback reduction. The proposed project is located on a 142.5 acre parcel (project site) in an area zoned Timberland Production (TPZ). Water is sourced from two permitted on-site wells that supply the estimated 222,750 gallons of water needed for annual irrigation. Water is stored in twenty-three existing hard tanks totaling 137,500 gallons, and in an existing pond on an adjacent parcel (APN#210-063-002) with 250,000 gallons. The pond is for fire and emergency use only. Currently, water use varies throughout the year with peak usage during June, July, and August, water use in gallons is estimated to be 49,500, 51,150, and 51,150, respectively. During off-peak months, May, September, and October, water use in gallons is estimated to be 25,572, 24,750, and 25,575 gallons, respectively.

Processing of cannabis is currently done on-site, however, the applicant plans to switch to a third-party processor. On April 30, 2018 the applicant signed a letter intent for Northern Emeralds to provide cannabis processing services for the proposed project. Power is provided by a 14 kw Kubota generator. The plants will be irrigated and fertilized by a drip irrigation system. The proposed project will be operated by four to six LLC members and their immediate family.

Recommendation: Find the project exempt from environmental review pursuant to Sections 15301, 15303, 15304, and 15333 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 SVK Consulting project subject to the recommended conditions.

Attachments: [CUP 16-133 Staff Report.pdf](#)

OLD BUSINESS**6 Sea Level Rise Policy Background Study - Planning Commission Workshop**

Case Numbers: N/A

Assessor Parcel Number: N/A

Humboldt Bay Area Plan planning area

Planning Commission Sea Level Rise Policy Background Study Workshop

Attachments: [11-1-18 PC Sea Level Rise Workshop Final.pdf](#)

CONTINUED PUBLIC HEARINGS

- 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](#)

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

- 8 Hogwash Pharms, LLC
Application Number: 11374
CaseNumber: SP-16-214
Assessor's Parcel Number: 220-292-009
4741 Blue Slide Creek Rd, Whitethorne area

A Special Permit is requested for an existing 7,296 square feet of outdoor commercial cannabis cultivation. No supplemental light is used in the operation. The water source comes from the adjacent parcel on APN 220-292-013. The applicant estimates 60,425 gallons of water is required annual for irrigation. The water storage capacity on site is 62,500 gallons in one bladder and five hard-sided tanks. Drying will be performed on an adjacent parcel owned by the applicant, APN: 220-292-012, with all other processing done by a third party. An existing 160 square-foot shipping container is used for materials storage. There will be no employees; all cultivation activities will be performed by the two operators and three collective members. Restroom facilities will be provided by portable toilet facilities.

Recommendation: Find the project exempt from environmental review pursuant to Sections 15301, 15304 and 15333 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Hogwash Pharms, LLC, Special Permit subject to the recommended conditions.

Attachments: [SP 16-214 Staff Report_2 for PC on 11.15.18.pdf](#)

NEW BUSINESS

- 9 Planning Commission role in initiating Permit Revocation Proceedings

Attachments: [Director's Memo.pdf](#)

ADJOURNMENT

NEXT MEETINGS

December 13, 2018 Regular Meeting