

PLANNING COMMISSION

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Director, Planning and Building

**COUNTY OF HUMBOLDT  
PLANNING COMMISSION**

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

**AGENDA**

**Thursday, March 15, 2018**

**6:00 PM**

**Special Meeting**

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*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**

**APPROVAL OF ACTION SUMMARY**

- 1 Approval of the September 7, 2017 Action Summary.

*Attachments:*      [PC Action Summary 09.07.17](#)

- 2 Approve the November 11, 2017 Action Summary.

**Attachments:** [11.02.17 PC Action Summary](#)

- 3 Approve the November 16, 2017 Action Summary.

**Attachments:** [PC 11.16.17 Action Summary](#)

- 4 Approve the November 30, 2017 Action Summary.

**Attachments:** [PC Action Summary 11.30.17](#)

## 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.*

- 5 Pettlon Final Map Subdivision and Planned Development Permit Extension

Case Numbers FMS-14-001X, PDP-14-001X

Assessor Parcel Number (APN) 510-121-026

1417 Railroad Drive, McKinleyville area

A two-year extension of a Major Subdivision of an approximately 1.58 acre parcel into seven residential lots utilizing a Planned Unit Development. The Planned Unit Development requests reduced front yard setbacks on proposed Lot 7, a reduced right of way width and a reduced minimum lot width on proposed Lots 1, 2 and 3. The parcel is currently vacant and will be served with community water and sewer by the McKinleyville 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 December 14, 2019.

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

**Attachments:** [FMS-14-001X Staff Report](#)

- 6 Nikolai Erickson, Full Moon Farms, MBC Conditional Use Permit  
Case Numbers CUP 16-187  
Assessor's Parcel Numbers (APN) 210-022-003  
30225 State Highway 36, Bridgeville area

A Conditional Use Permit (CUP) is sought for an existing 42,000 square foot (sf) outdoor and an existing 1,800 sf mixed light commercial medical cannabis cultivation. The applicant estimates 35,429 gallons of water were used in 2016 and 97,637 gallons of water was projected to be used in 2017 to meet cultivation needs on the 94 acre parcel. There are fourteen water storage tanks totaling 62,300 gallons. An Initial Statement of Water Diversion for Small Domestic Use and a Stream Alteration Permit have been filed for the only water source on the site, a Class II diversion. This permit allows no more than 150 gallons of water diverted per day for strictly domestic use. The applicant is pursuing an amendment to this agreement to reflect the diversion for cannabis cultivation. To meet the water demands of the commercial cultivation operation the applicant has applied to install a well and to increase water storage to 150,000 gallons in 2018. Additionally, appurtenant processing of cannabis product grown on-site will occur inside an existing 1,800 sf multi-use building. There will be a total of six seasonal and one full time employee at full operation. Portable toilets, hand washing stations, and potable water is to be provided until an onsite septic system is permitted. Electricity is provided by Pacific Gas and Electric. In addition to the multi-use building, there is also a storage shed and two dilapidated buildings that are to be removed. Construction of one additional storage shed is planned. The Applicant has provided a WRPP prepared by Timberland Resource Consultants and a Cultural Resources Survey prepared by Alta Archaeological Consulting. No cultural resources were found within the area of potential effect.

**Recommendation:** Find the project Categorical 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 Nikolai Erickson, Full Moon Farms, MBC Conditional Use Permit subject to the recommended conditions.

**Attachments:** [CUP16-187 Staff Report](#)

- 7 Coyote Ridge Farm, LLC, Conditional Use Permit  
Case Number CUP 16-613  
Assessor's Parcel Number (APN) 210-250-010  
Coyote Ridge Road, Dinsmore Area

A Conditional Use Permit for 10,450 square feet (sf) of existing mixed-light and 16,952 sf of existing outdoor cannabis cultivation. Two harvests of mixed-light occur annually. Irrigation water is sourced from two wells and rainwater catchment ponds. Water is stored in hard tanks (28,200 gallons) and two ponds (330,000 gallons), for a total of 358,200 gallons of available water storage. Annual water use is approximately 315,000 gallons. Processing, including drying and trimming, occurs in an existing on-site processing facility. Electricity is provided by solar panels and backup generators. The number of employees typically on-site is three, and the peak number of employees is five. Wastewater disposal is managed through an existing on-site septic system.

***Recommendation:*** Find the project exempt from environmental review pursuant to Section 15301 and Section 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 Coyote Ridge Farms, LLC. project subject to the recommended conditions.

***Attachments:*** [CUP 16-613 Staff Report](#)

- 8 Brian Garlick Conditional Use Permit  
Case Numbers CUP 16-375  
Assessor's Parcel Numbers (APN) 206-311-020  
7424 State Highway 36, Carlotta area

A Conditional Use Permit (CUP) is sought for an existing 16,500 square foot (SF) outdoor and an existing 2,880 SF mixed light commercial medical cannabis cultivation. The applicant estimates 207,000 gallons of water were used in 2016 on the 21 acre parcel. Water is derived from a preexisting non-permitted well that may be hydrologically connected to the Van Duzen River. As a result, the applicant plans to install 110,000 gallons of hard tank storage in order to forbear from summertime diversion and to obtain a Streambed Alteration Agreement from CA Department of Fish and Wildlife and secure appropriate water rights with the State Water Board. Processing will occur offsite at a certified facility. There is one residence, one barn, one greenhouse, and two outdoor cultivation areas. There will be a total of three full time and up to ten seasonal employees during peak periods. A 120 SF employee breakroom facility is planned along with a permitted septic system. In the interim, portable toilets with hand washing stations will be provided until an onsite septic system is permitted. Electricity to the barn and residence is provided by Pacific Gas and Electric and electricity to the mixed light greenhouse is provided by a generator with a demonstrated audible rating below 60 dB at the nearest tree line. The Applicant has provided a Water Resource Protection Plan (WRPP), a Biological Assessment Survey that mapped sensitive riparian wetland areas, and filed a Notice of Intent to enroll as a Tier 2 discharger.

**Recommendation:** Find the project Categorical 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, subject to verification of area devoted to mixed light cultivation, and adopt the Resolution approving the proposed Brian Garlick Conditional Use Permit subject to the recommended conditions.

**Attachments:** [CUP 16-375 Staff Report](#)

- 9 Hummingbird Healing Center Conditional Use Permit  
Case Number CUP 16-140  
Assessor's Parcel Number (APN) 508-242-042  
1580 Nursery Way, Suite B-E, McKinleyville, CA 95519

A Conditional Use Permit pursuant to Section 314-55.3 et seq. of the Humboldt County Code for the operation of a medical cannabis dispensary and adult use cannabis retail dispensary. The proposed dispensary (project) would be located within 2,235 square feet of an existing commercial building. The proposed project would have three full-time employees and the hours of operation would be 10:00 a.m. to 7:00 p.m., seven days a week. The subject parcel is served community water and sewer by McKinleyville Community Services District.

**Recommendation:** Find the project exempt from environmental review pursuant to Section 15301 of the State CEQA Guidelines, make all 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 Hummingbird Healing Center project subject to the recommended conditions.

**Attachments:** [CUP16-140 Staff Report](#)

## 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*

- 10** First MC Processing, LLC Conditional Use Permit and Special Permits  
MC Marketing Group, LLC Special Permit  
Case Numbers: CUP16-531, SP16-932, SP16-17-175, SP16-393  
Assessor's Parcel Number (APN): 032-012-001  
615 Bear Creek Road, Garberville area

A Conditional Use Permit (CUP) for a cannabis dispensary, a Special Permit (SP) for a commercial medical cannabis processing facility, a SP for a medical cannabis distribution facility and a SP for a parking exception within two applications on the same property. The cannabis dispensary would be located within Unit A with its storefront facing Bear Creek Road/Redwood Drive. The SPs for manufacturing and distribution would be located within Unit B of an existing structure. The Applicant is proposing manufacturing that entail utilizing non-volatile CO2 to extract raw cannabis oil from cannabis plants. Products to be processed and manufactured include bulk cannabis oil and vaporization cartridges. Additional products, such as pre-rolled cannabis joints, flower packaging and manufacturing of concentrates, such as rosin or ice hash may be manufactured here depending on market demand (APPS #12081). The proposed distribution facility would transport medical cannabis products between license types and to testing facilities (APPS #12084). The Applicant is requesting an exception to the parking requirements regarding location and number of parking spaces. The proposed uses require one parking space compliant with the Americans with Disabilities Act (ADA), which is proposed in the existing driveway. The loading space for deliveries would be parallel and directly in front of the existing structure. Conditions of Approval require all loading and unloading occur after business hours to avoid blocking the ADA-compliant parking space in the driveway. Approval of the parking exception request would be required for approval of the proposed projects. The parcel is served by P.G. & E. Water and sewer service is provided by Garberville Sanitary District.

**Recommendation:** Move to continue the First Processing, LLC conditional Use Permit and Special Permits and MC Marketing Group, LLC Special Permits to a date uncertain to allow the applicants to submit additional evidence in support of the required findings. Alternatively, move to find the First MC Processing LLC Special Permit (SP 16-392) project Categorical Exempt from environmental review pursuant to Sections 15301 and 15303 of the State CEQA Guidelines, make all the required findings for approval of Special Permit (SP 16-392) and associated parking exception (SP 17-175) based on evidence in the staff report and any public testimony, and adopt the Resolution approving SP 16-392 subject to the recommended conditions and continue the First MC Processing LLC Conditional Use Permit and MC Marketing Group LLC Special Permit to a date uncertain.

**Attachments:** [CUP 16-531 Staff Report](#)

## ADJOURNMENT

## NEXT MEETINGS

April 5, 2018 Regular Meeting

April 19, 2018 Special Meeting

*Any member of the public wishing to distribute materials to the Planning Commission at least 72 hours prior to a meeting may send them electronically to the Planning Commission Clerk at [Planningclerk@co.humboldt.ca.us](mailto:Planningclerk@co.humboldt.ca.us) or fourteen (14) copies may be delivered to the Planning Commission Clerk at 3015 H St., Eureka, CA 95501. If any member of the public wishes to distribute materials during a meeting of the Planning Commission, it is requested that fourteen (14) copies of the materials be given to the Planning Commission Clerk for distribution to the Commission, staff, and the public. Any written materials related to an item on this agenda submitted to the Planning Commission less than 72 hours prior to the meeting, and that are public records subject to the Public Records Act are available for public inspection at the Planning and Building Department located at 3015 H Street, Eureka, California (707-445-7541) during normal business hours. The Chamber is wheelchair accessible, and disabled parking is available in the lot on K Street, between Fourth and Fifth Streets. If you are a person with a disability, and you need disability-related modifications or accommodations to participate in this meeting, please contact the Planning Division at (707) 445-7541, or (707) 268-3792 (fax). Requests for such modifications or accommodations must be made at least two full business days before the start of the meeting. Commission meetings are recorded on both video and audio media. The meetings are broadcast live on cable channel 10 and may be streamed over the internet.*