

PLANNING COMMISSION

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JOHN H. FORD
Director, Planning and Building

**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

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

AGENDA

Thursday, December 5, 2019

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.

A. CALL TO ORDER / SALUTE TO FLAG

B. COMMISSIONERS PRESENT

C. AGENDA MODIFICATIONS

D. 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.

E. 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. Hosford Final Map Subdivision, Lot Line Adjustment and Special Permit Extension

Case Number PLN-2019-15692

Assessor Parcel Numbers (APNs) 018-031-020, 018-032-008

2104 and 2072 Redwood Street, Cutten area

Project Description: A two-year extension to a previously approved subdivision. The original project included a Final Map Subdivision creating 4 parcels and a fifth adjusted by a Lot Line Adjustment (LLA). The parcels will range in size from 6,000 square feet to 11,095 square feet (after LLA). The existing dwelling on proposed Lot 2 will remain. All parcels will be accessed via Redwood Street, a paved County road, which will be significantly improved as a result of this project. Pursuant to Section 325-9 of the Subdivision Regulations the applicant submitted an exception request to remove the requirement to install sidewalks along the property frontage which was granted. The Special Permit is required for the removal of five (5) redwood trees and for an exception to the parking requirements for proposed Parcel 4 and Parcel B of the LLA. The area is served by community water and sewer. No change to the original project is proposed. This is the first extension requested and if approved, the extension will expire on July 28, 2021.

Staff Recommendation: Make all of the required findings, based on evidence in the staff report, and approve the Hosford Project Extension subject to the recommended conditions of approval.

Attachments: [PLN-2019-15692 Staff Report](#)

2. Today's Humboldt County, LLC
Application Number 15526
Record Number PLN-2019-15526
Assessor's Parcel Number 507-381-006
5065 Boyd Road, Arcata area

Project Description: An application for a Conditional Use Permit for a commercial processing, distribution, and 1,624 square foot nursery operation. Distribution will occur from a 286 SF secured room in the first floor of the tenant space. In 2020, the applicant will construct two 3,000 buildings to expand the distribution facility: one adjacent to Unit J and another to left of the Peterson's Collision Repair building on the parcel. The nursery and processing operations will occur in the existing building. Water is sourced from the McKinleyville Community Service District. The nursery will be indoor and will be powered by PG&E. The business will be operated continuously throughout the year with the hours of operation being between 7 AM and 7 PM daily with a maximum of 12 employees during peak operations.

Staff Recommendation: Continue the project to the January 9, 2020 Planning Commission hearing.

3. Valadao Final Map Subdivision Extension
Case Number PLN-2019-15702
Assessor Parcel Number 509-114-016
Lime Avenue, First Street and A Street, McKinleyville area

Project Description: A two-year extension to a previously approved subdivision. The original project included a Final Map Subdivision to divide an approximately one-acre parcel into seven lots ranging in size from 6,000 square feet to 7,481 square feet. The parcel is currently vacant and approximately 100 trees are proposed to be removed to facilitate the subdivision. An exception to the solar shading requirements and right of way width is requested. The parcels will be served with community water and sewer provided 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 August 15, 2021.

Staff Recommendation: Make all of the required findings, based on evidence in the staff report, and approve the Valadao Final Map Subdivision Project Extension subject to the recommended conditions of approval.

Attachments: [PLN-2019-15702 Staff Report.pdf](#)

4. HUMFDC Investment, LLC, Conditional Use Permit

Application Number: 11663

Case Number: CUP-16-327

Record Number: PLN-11663-CUP

Assessor's Parcel Number (APN): 211-376-037

425 Felt Road, Miranda Area

Project Description: A Conditional Use Permit for 21,024 square feet (SF) of existing mixed light commercial cannabis cultivation and a planned appurtenant 4,200 SF of nursery space spread across three propagation areas. Cultivation consists of four seasonal harvests using light deprivation techniques with hand-drawn light covers in nine greenhouses located in a consolidated area in the northwest of the parcel. There is 311,000 gallons of water storage on the subject parcel in 64 hard-sided tanks; two additional 100,000-gallon tanks are proposed. One well and a point of diversion from a spring provide irrigation water, another well services a residence. Processing will occur on site. The project anticipates using three to ten employees. Portable toilets with hand washing stations will be used until the onsite waste water treatment system (OWTS) can be permitted or a new one installed. Electricity is provided by Pacific Gas and Electric as well as three generators housed within two structures.

Staff Recommendation: Find that the Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 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 adopt the Resolution approving the proposed HUMFDC Investment, LLC, project subject to the recommended conditions.

Attachments: [PLN-11663-CUP Staff Report](#)

5. Jason Miller, Conditional Use Permit and Special Permit
Application Number 11484
Case Numbers CUP16-262 and PLN-11484-SP
Assessor's Parcel Number (APN) 210-144-008
Dinsmore Area

Project Description: A Conditional Use Permit for 18,120 square feet of existing outdoor cannabis cultivation and ancillary processing activity. A Special Permit is also requested for work within a Streamside Management Area.

Staff Recommendation: Find that the Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 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 adopt the Resolution approving the Jason Miller project subject to the recommended conditions.

Attachments: [CUP-16-262 Staff Report.pdf](#)
 [Attachment 4.a Road Evaluation Burr Valley Rd.pdf](#)
 [Attachment 4.b Road Evaluation USFS 1N10.pdf](#)

6. Higher Ground Agriculture, LLC, Conditional Use Permit

Application Number: 11018

Case Number: CUP16-127

Assessor's Parcel Number (APN): 223-075-016

3535 East Branch Road, Garberville, Benbow Area

Project Description: A Conditional Use Permit (CUP) for 22,900 square feet (SF) of existing outdoor cultivation and 4,100 SF of existing mixed-light cultivation. The total cultivation area is 27,000 square feet (SF) on two parcels totaling 200 acres. The applicant is proposing a 1,300-square-foot appurtenant nursery and to consolidate two existing grow sites into one central location. The source of irrigation water is a permitted on-site well. Total water usage is approximately 280,000 gallons per year. Water is stored in an existing 70,000-gallon hard tank. Drying occurs in an existing on-site barn and processing is done at a licensed off-site facility. A maximum of five people will be on-site during peak operations. Power to the subject parcel is supplied by P. G. & E.

Staff Recommendation: Find that the Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 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 adopt the Resolution approving the proposed Higher Ground Agriculture, LLC, project subject to the recommended conditions.

Attachments:[CUP-16-127 Staff Report.pdf](#)[11018 Continuance request for PC 12042019.pdf](#)

7. Diana Lavelle-Usrey Parcel Map Subdivision and Coastal Development Permit
Record Number: PLN-2018-15181
Assessor's Parcel Number (APN): 510-231-027
880 Eucalyptus Road, McKinleyville

Project Description: A Minor subdivision to divide an approximately 2.5-acre parcel into four parcels and a Remainder, all approximately 0.5 acres in size. The parcel is currently developed with a single-family residence and barn that will remain on the Remainder parcel. Pursuant to Section 325-9, the applicant is requesting an exception to the 50-foot right of way width and proposes a 35-foot right of way. The parcels will be served with community water and sewer provided by the McKinleyville Community Services District. The northwest portion of the property is within the Coastal Zone, therefore a Coastal Development Permit is required.

Staff Recommendation: Adopt the Mitigated Negative Declaration and make all of the required findings for approval of the Parcel Map Subdivision and Coastal Development Permit, including the exception request to allow a reduced right of way, based on evidence in the staff report and public testimony, and adopt the Resolution approving the Lavelle-Usrey project subject to the recommended conditions.

Attachments: [PLN-2018-15181 Staff Report](#)
 [PC Supplemental 1 15181.pdf](#)
 [PC Supplemental 2 15181.pdf](#)

F. ITEMS PULLED FROM CONSENT

G. 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

1. Emerald Triangle Group, LLC Co., Special Permits
Record Numbers: PLN-12733-SP and PLN-12747-SP
Assessor's Parcel Number: 032-051-032
829 Redwood Drive, Garberville area

Project Description: This project consists of two applications requesting permits pursuant to the Commercial Medical Marijuana Land Use Ordinance (CMMLUO). A Special Permit (SP) is requested for a cannabis distribution facility (App #12733), and an SP is requested for a commercial cannabis manufacturing facility (App #12747). Manufacturing involves the use of mechanical machinery and ethanol to extract products such as kief, hash and rosin. No flammable solvent materials are used. The site is currently developed with a three-story commercial building, a two-story concrete building, and a two-story storage facility. Extraction operations will occur on the first floor of the three-story building in the existing retail space. The use of the 2nd floor office space and 3rd floor residence will not change as a result of this project. In addition, flower and pre-rolls will be packaged for distribution. The project proposes to demolish the existing concrete building and construct in its place a 180-square foot metal building to house a closed loop ethanol extraction unit. The storage building will be retrofitted with a walk-in refrigeration unit to store cannabis products for the distribution operation. A Special Permit is also requested for an exception to the size of the loading space requirement described by Humboldt County Code (H.C.C.) Section 109.1. The Planning Commission will also consider approval of the design review study as prepared by the applicant per H.C.C. 314-19.1.3.

Staff Recommendation: Find the project exempt from environmental review pursuant to Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines, make all the required findings for approval based on evidence in the staff report, and adopt the Resolution approving the Emerald Triangle group project subject to the recommended conditions.

Attachments: [Item #8 PLN-12733-SP and PLN-12747-SP Staff Report.pdf](#)

H. ADJOURNMENT

I. NEXT MEETINGS

January 9, 2020 Regular Meeting

December 19, 2019 6:00pm Regular Meeting

Persons wishing to file documentation on any agenda item for the official record must submit an original and fourteen (14) copies of each document to the Planning Commission Clerk, 3015 H Street in Eureka.

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 Commission Clerk at 707-445-7541, or 707-268-3792 (fax). Requests for such modifications or accommodations must be made at least three full business days before the start of the meeting.