

PLANNING COMMISSION

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Director, Planning and Building

**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

In order to appropriately address concerns related to the COVID-19 pandemic and protect public health and safety, the Planning Commission meeting of March 19, 2020 is being cancelled and all items are being continued to the Planning Commission meeting of April 16, 2020.

AGENDA

Thursday, March 19, 2020

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. Review and approval of the March 05, 2020 Action Summary.

Recommendation: Move to approve the March 05, 2020 Planning Commission Action Summary and direct the Secretary of the Planning Commission and the Clerk of the Planning Commission to sign the Minute Sheet.

Attachments: [PC 3.05.2020 Action Summary.pdf](#)

2. Parkinson Parcel Map Subdivision
Case Number PLN-2019-15667
Assessor Parcel Number (APN) 504-161-001
55 Glendale Drive, Arcata area

Project Description: A Minor Subdivision of an approximately 19-acre parcel into two parcels of 5.5 acres and 13.5 acres. The parcel is currently developed with a single-family residence and detached Accessory Dwelling Unit that will remain on proposed Parcel 1. An exception to the State FireSafe Regulations has been requested and approved by Calfire to allow the subdivision to be served by a road that does not meet the Category 4 road width due to an existing tunnel under State Highway 299. The parcels will be served by on-site water (wells) and on-site wastewater treatment systems.

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

Attachments: [PLN-2019-15667 Staff Report.pdf](#)

3. Derek and Jeanette Ford Parcel Map Subdivision Extension
Case Number PLN-2019-15744
Assessor Parcel Number 510-142-031
2241 McKinleyville Avenue, McKinleyville area

Project Description: A two-year extension to a previously approved subdivision. The original project included a Minor Subdivision of a 22,370 square foot parcel into two parcels of 14,290 square feet (net) and 8,080 square feet (net). The parcel is developed with a single-family residence that will remain on proposed Parcel 1. Water and sewer are 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.

Recommendation: Make all of the required findings, based on evidence in the staff report, and approve the Derek and Jeanette Ford Parcel Map Subdivision Extension project subject to the recommended conditions of approval.

Attachments: [PLN-2019-15744 Staff Report 3.19.2020.pdf](#)

4. Hooven Trust Zone Reclassification
Application Number 13716
Case Number ZR-17-008
Assessor Parcel Number 511-501-002
2361 Elizabeth Road, McKinleyville area

Project Description: A Zone Reclassification to change the zoning from Timberland Production Zone (TPZ) to Agriculture General with a five-acre minimum parcel size (AG-B-5(5)). The change in zoning from TPZ is through a 10-year non-renewal, and the lands will remain TPZ until the completion of the slide-out. The current general plan designation is Residential Agriculture with a density of one unit per five to twenty acres (RA5-20) which was changed as part of the General Plan Update in 2017. The parcel is approximately 20 acres in size and is currently developed with a single-family residence, a second dwelling unit, and accessory structures.

Recommendation: Recommend that the Board of Supervisors adopt the Addendum to the Environmental Impact Report (EIR) for the Humboldt County General Plan, State Clearinghouse No. 2007012089, adopted by the Board of Supervisors on October 23, 2017, in accordance with Section 15164 of the State CEQA Guidelines, and find that there is no substantial evidence that the proposed Zone Reclassification will have a significant effect on the environment, and make all of the required findings, based on evidence in the staff report and public testimony, and recommend the Board of Supervisors approve the Hooven Zone Reclassification application.

Attachments: [ZR-17-008 Staff Report.pdf](#)

5. Sunny Slope Ranch, LLC, Conditional Use Permit
Application Number 11296
Project Number PLN-11296-CUP
Assessor's Parcel Number (APN) 208-112-024
26980 State Highway 36, Bridgeville, CA

Project Description: Conditional Use Permit to allow for the continued operation of an existing 12,970 square foot (SF) outdoor and 5,270 SF mixed light commercial cannabis cultivation. Irrigation water is sourced from rainwater catchment. Water storage consists of 467,000 gallons contained within existing tanks and basins. Five (5) employees are proposed. Processing is proposed to occur on-site. Power is provided by solar energy with a generator back-up.

Recommendation: Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO) as described by 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 Sunny Slope Ranch, LLC project subject to the recommended conditions.

Attachments: [Attachment 4A-E Combined.pdf](#)
[PLN-11296-CUP Staff Report.pdf](#)

6. Redwoods Rural Health Center General Plan Amendment & Zone Reclassification
Record Number: PLN-2019-15571
Assessor Parcel Number 077-312-009
Garberville area

Project Description: A General Plan Amendment and Zone Reclassification to change the County's General Plan land use designation for the site from Residential Low Density (RL) to Commercial Services (CS), and to rezone the site from Residential Single Family with a Manufactured Home Combining Zone (R-1-T) to Community Commercial (C-2). The proposed amendment would facilitate the paving and landscaping of approximately 0.23 acres of the 0.33 acre project site to create 35 parking spaces in support of the adjacent RRHC property. This adjacent 1.11 acre property at 101 West Coast Road (APN 077-312-015) contains health and dental facilities and is planned CS and zoned C-2. The project includes an exception request to the parking standards of the zoning ordinance to allow the use of shared parking between the subject property and the adjacent RRHC facility.

Recommendation: Based on evidence in the staff report and public testimony, approve the Mitigated Negative Declaration and recommend that the Board of Supervisors approve the General Plan Amendment and Zone Reclassification by approving the included Resolution of Approval.

Attachments: [PLN-2019-15571 Staff Report.pdf](#)

7. Benbow Valley Farms Conditional Use Permit and Special Permit
Record Number: PLN-11421-CUP
Assessor's Parcel Number (APN): 033-170-013
Benbow area

Project Description: A Conditional Use Permit for 11,430 square feet of existing outdoor cannabis cultivation contained within greenhouses. There is one 1,300-square-foot greenhouse that will be used for propagation. Cultivation activities extend April through November. There will be a maximum of two harvests annually. The applicant estimates 96,500 gallons of water is required annually for irrigation. Water for irrigation is sourced from a groundwater well and a point of diversion located on an unnamed Class III watercourse that is tributary to Milk Ranch Creek. Water diverted for irrigation is stored in a 750,000-gallon offstream pond. Water storage totals 778,000 gallons in a series of hard-sided tanks and the pond. Processing including drying, curing, and trimming occur onsite in an existing structure. No employees are required to meet operational needs. Electricity is sourced from a generator. The project includes a Special Permit for development within the Streamside Management Area (SMA) that would allow for use of a point of diversion in an unnamed water course that is a tributary to Milk Ranch Creek that is used for irrigation.

Recommendation: Find that the Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO) as described by 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 approve the proposed Benbow Valley Farms project subject to the recommended conditions.

Attachments: [Attachment 4A 11421 WRPP.pdf](#)
[PLN-11421-CUP Staff Report.pdf](#)

8. Skyline Farms, LLC, Conditional Use Permit
Record No.: PLN-11718-CUP
Assessor's Parcel Numbers: 220-312-002 & 222-163-001
215 Seely Creek Road, Redway area

Project Description: Conditional Use Permit for existing 20,000 square foot (sf) outdoor cultivation operation, and a 2,000-sf ancillary nursery in two temporary hoop structures. The operation occurs on Assessor Parcels 220-312-002 & 222-163-001 which comprise one legal parcel. The applicant proposes the construction of an approximately 317,000-gallon rainwater catchment pond to meet irrigation demands. Processing would occur on site in a proposed 1,200 square foot commercial facility.

Recommendation: Find that the Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by 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 Skyline Farms, LLC, Conditional Use Permit s as recommended by staff subject to the recommended conditions.

Attachments: [PLN-11718-CUP Staff Report.pdf](#)
[Attachment 4A combined applicant submitted materials.pdf](#)

F. PUBLIC WORKSHOP

1. Public Workshop on the Draft Accessory Dwelling Unit Ordinance
Project Description: Secondary Dwelling Units are now considered Accessory Dwelling Units (ADUs). The State preempted local control of permitting ADUs with changes to state law in 2017 which nullified Humboldt County's second unit ordinance. Further changes to state law in 2019 further relaxed the standards for development of ADUs. The proposed ordinance attempts to clarify the County's standards consistent with state law. This workshop is intended to introduce the Planning Commission to the proposed new ordinance and provide an opportunity for the public to address the Planning Commission on the new ordinance.

Recommendation: 1) Receive a staff presentation on the ADU ordinance,
2) Ask questions of staff as necessary,
3) Accept public comments on the ADU ordinance,
4) Give Direction to Staff as appropriate

Attachments: [PC workshop.pdf](#)
[PC Supplemental 1 ADU Ord workshop 3.19.20.pdf](#)

G. CONTINUED PUBLIC HEARING

1. Allpoints Outdoor, Inc. Special Permit for Reconstruction of a Legal Nonconforming Billboard Structure

Record Number PLN-2019-16029

Assessor Parcel Numbers 305-031-007, 305-031-008, and 305-031-009

Eureka Area

Project Description: An application for a Special Permit to authorize reconstruction of a legal nonconforming billboard structure that was damaged in recent winter storms. The billboard was blown down in November 2019 due to severe winds during a storm event, damaging most of the support posts. The project proposes to erect the billboard by reconstruction in its current location. Reconstruction could involve any or all of the following methods: 1) excavation of all existing posts and replacement in the existing post holes; 2) excavation of some of the existing posts and replacement of all necessary posts, while sistering new posts to any existing posts which could be retained; 3) excavation of the existing posts, and replacement with new posts in the same general location, but not necessarily within the existing post holes. No changes to the height or width of the billboard is proposed. Historical photographs show billboards present in the area as early as 1955, pre-dating zoning regulations. Because the project is located within a portion of the Coastal Zone where the Coastal Commission retains permit authority, the applicant will need to attain a Coastal Development Permit (CDP) or qualify for a CDP exemption from the Coastal Commission. The project involves minimal ground disturbance and is considered exempt from further environmental review pursuant to Sections 15301 (Existing Facilities) and 15302 (Replacement or Reconstruction) of the Guidelines to the California Environmental Quality Act (CEQA).

Recommendation: Reopen the public hearing and receive Supplemental Information requested by the Commission at the February 20, 2020 meeting; receive public testimony; close the public hearing; find the project exempt from environmental review pursuant to Sections 15301 and 15302 of the State CEQA Guidelines (if approved) or Section 15270 (projects which are disapproved), and take one of the following actions:

- 1) make all of the required findings, based on evidence in the staff report and public testimony received, adopt the Resolution approving the Allpoints Outdoor, Inc. Special Permit for reconstruction of the legal nonconforming billboard structure, subject to the recommended conditions; or
- 2) make all of the required findings, based on evidence in the staff report and public testimony received, adopt the Resolution approving the Allpoints Outdoor, Inc. Special Permit for reconstruction of the legal nonconforming billboard structure, subject to the recommended conditions, with the addition of a condition specifying a limited term for the permit, with or without an allowance for further extension; or
- 3) deny the permit based on the inability to make all of the required findings for approval; direct staff to prepare a resolution setting forth reasons for the denial to be considered for adoption at the following meeting of the Planning Commission.

Attachments: [PLN-2019-16029 Staff Report 3.19.20.pdf](#)

H. ITEMS PULLED FROM CONSENT

I. 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. Homestead Collective Weed Company, LLC Special Permits
Record Number: PLN-12237-SP
Assessor's Parcel Number: 217-401-011
5576 Homestead Road, Blocksburg area

Project Description: A Special Permit for 9,000 square feet of existing outdoor cannabis cultivation. Cultivation activities extend from April to October. The applicant projects one cultivation cycle per year. Water for irrigation is sourced from an existing onstream pond and one point of diversion from an unnamed spring. Annual water use is 107,000 gallons. Water storage includes 287,500 gallons in a series of hard-sided tanks and the 252,500-gallon pond. Processing activities including drying, curing, and trimming would occur onsite in an existing structure. Electricity is sourced from generator power that is used to power the residence. The proposed project also includes a Special Permit to allow development within the Streamside Management Area of Basin Creek for a point of diversion and an onstream pond that is utilized for irrigation.

Recommendation: Find the project exempt from environmental review pursuant to State CEQA Guidelines Section 15270 (projects that are disapproved), make the finding that the development does not conform with all applicable standards and requirements of the Humboldt County Code and adopt the Resolution denying the proposed Homestead Collective Weed Company, LLC project.

Attachments: [PLN-12237-SP Staff Report.pdf](#)

2. Sun Ocean West Manufactured Home Park Expansion
Application Number 14268
Case Numbers CUP-18-034, SP-18-040, NOM-18-012
Assessor Parcel Numbers 510-171-039, 040, and 060
1000 and 1010 Murray Road McKinleyville area

Project Description: Proposed expansion of Ocean West Manufactured Home Park. The Lot Merger portion of the proposed project consists of the merging of two vacant parcels (4.5 acre and 0.57-acre) into the 25.33 acre developed manufactured home park resulting in a parcel of 30.4 acres. The merger is to allow for the expansion of the park by 35 units for a total of 160 units. The Conditional Use Permit is required to operate a manufactured home park in the C-1 Neighborhood Commercial zoning district. There is a previously approved Conditional Use Permit (CUP-37-77) for the existing 25.33-acre portion of Ocean West. The Special Permit is required for development within the Streamside Management Area (SMA) protective buffer of Widow White Creek, resulting in temporary and permanent impacts to the riparian habitat and associated wetlands.

Recommendation: Open the Public Hearing, consider the testimony provided and continue the item to a date uncertain to allow the applicant to work out concerns of the residents.

Attachments: [14268_Ocean West Memo.pdf](#)

J. DIRECTOR'S REPORT

1. Policy for Applicant Presentations

K. ADJOURNMENT

L. NEXT MEETINGS

April 16, 2020

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.