

PLANNING COMMISSION

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COUNTY STAFF

JOHN H. FORD  
Director, Planning and Building

**COUNTY OF HUMBOLDT  
PLANNING COMMISSION**

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

**AGENDA**

Thursday, November 16, 2023

6:00 PM

Regular Meeting - Hybrid

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**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 qualified disabilities as required under the Americans with Disabilities Act. With 72 hours prior notice, a request for reasonable accommodation or modification can be made. Please contact the Clerk of the Board Office at 707-476-2390 or by email [cob@co.humboldt.ca.us](mailto:cob@co.humboldt.ca.us) or the ADA Coordinator at 844-365-0352 or by email at [ada@co.humboldt.ca.us](mailto:ada@co.humboldt.ca.us).**

**Please note: Those not able to attend the Planning Commission meeting in person will have the opportunity to provide public comment via Zoom; however, the County of Humboldt cannot guarantee that the Zoom system will be available for the entirety of every meeting. The only ways to guarantee that your comment is received and considered by the Planning Commission is to attend the meeting person or submit your comment in writing in advance of the meeting.**

**HOW TO LISTEN OR WATCH THE PLANNING COMMISSION MEETING:**

Listen or Watch the live stream of the Planning Commission Meeting in three ways:

1. <https://zoom.us/j/87544807065> Password: 200525
2. Call in via telephone at 346 248-7799, enter meeting id 875 4480 7065 Password: 200525
3. A live stream of the meeting can be found by using the following link:  
<https://humboldt.legistar.com> or by watching Access Humboldt on cable channel 11

Meetings of the Humboldt County Planning Commission are held in person in the Board of Supervisors chambers, located at 825 Fifth Street, Eureka, California.

Participate in the public comment period of the meeting in the following three ways:

1. **In Person:** Any person may appear and present testimony in regard to this matter at the hearing located in the Board of Supervisors' Chamber, Humboldt County Courthouse, 825 Fifth Street, Eureka, California. The Planning Commission needs 15 COPIES of any materials submitted at the meeting.
2. **Via Computer as an attendee:** To raise your hand click the Raise Hand icon on the bottom of the Zoom window. When you click the Raise Hand icon, a hand icon will appear next to your name that will notify the host your hand is raised. You will also see the hand icon turn green. When you want to lower your hand, you can click the hand icon again and your hand will be lowered. When you are called upon to speak the Zoom platform will ask you for permission to unmute your mic. If you encounter any issues, please use the call-in option below.
3. **Via phone call using cellphone or landline:** When the Planning Commission meeting begins, call in to the conference line. When the Planning Commissioner starts to discuss the item you wish to comment on, Press \*9 to raise your hand. When you are called upon to speak, you will be prompted to unmute your mic, press \*6 to unmute.

You may access the live stream of the meeting by using the following link:

<https://humboldt.legistar.com>

**SUBMITTING PUBLIC COMMENT PRIOR TO THE MEETING:**

Public comments may be submitted via email to [Planningclerk@co.humboldt.ca.us](mailto:Planningclerk@co.humboldt.ca.us). Please provide the project title, record or case number and date of the hearing. The deadline for submitting written comments is 12:00 p.m. Wednesday, November 15, 2023. After the deadline, written comments may be submitted to the commission in person during the meeting (15 copies). Comments can be found at the "Attachments" section of the "Meeting Details" link next to the posted Agenda at:

<https://humboldt.legistar.com> and will be included with the administrative record. If you do not have access to email, contact the Planning Clerk at 707-267-9409.

**A. CALL TO ORDER / SALUTE TO FLAG****B. COMMISSIONERS PRESENT****C. AGENDA MODIFICATIONS**

**D. PUBLIC COMMENT ON NON-AGENDA ITEMS:** 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.

*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. VIPA Farmers, LLC, Conditional Use Permit  
Assessor Parcel Numbers (APN) 219-011-007-000  
Record No.: PLN-11269-CUP  
Salmon Creek area

A Conditional Use Permit for 12,536 square feet of existing mixed light cannabis cultivation. Three harvests are anticipated annually. The project is supported by a 1,250 square foot propagation greenhouse. Water for irrigation is sourced from an existing 300,000-gallon rainwater catchment pond and 6 hard tanks totaling 6,200 gallons. Ordinary annual water usage totals 216,895 gallons (21.8 gallons per ft<sup>2</sup>). All processing occurs onsite. Electricity is currently sourced from a diesel generator; however, the applicant is seeking to obtain grid power through PG&E.

**Recommendation:** Continue the VIPA Farmers project to November 30, 2023.

**2. Panther Rock Growers, MBC**

Assessor's Parcel Numbers: 210-162-007

Record Numbers: PLN-11496-CUP

Dinsmore area

A Conditional Use Permit for 5,120 square feet of existing mixed light and 15,841 square feet of existing outdoor commercial cannabis cultivation supported by a 1,792 square foot ancillary nursery. Estimated annual water usage is 126,000 gallons and is sourced from a point of diversion and rainwater catchment. Water storage totals 197,750 gallons. Onsite processing is proposed and power is sourced from a generator.

**Recommendation:** That the Planning Commission:

1. Adopt resolutions (Resolution 23-\_\_) (Attachments 1) which does the following:
  - a. Finds that the Planning Commission has considered the Mitigated Negative Declaration previously adopted for the Commercial Medical Marijuana Land Use Ordinance and the Addendum to the Mitigated Negative Declaration that was prepared for the Panther Rock Growers, MBC project (Attachment 3); and
  - b. Finds that the proposed projects comply with the General Plan and Zoning Ordinance; and
  - c. Approves the Panther Rock Growers Conditional Use Permit subject to the recommended conditions of approval (Attachments 1A).

**Attachments:**[11496 Staff Report 11.16.23](#)[Attachment 1 - Draft Resolution](#)[Attachment 1A - Conditions of Approval](#)[Attachment 1B - Operations Plan](#)[Attachment 1C - Site Plan](#)[Attachment 2 - Location Map](#)[Attachment 3 - CEQA Addendum](#)[Attachment 4 - Applicant's Evidence in Support of Findings](#)[Attachment 4A - Biological Report](#)[Attachment 4B - Wetlands Determination](#)[Attachment 4C - Road Evaluation](#)[Attachment 4D - Right to Divert and Use Water](#)[Attachment 4E - LSAA](#)[Attachment 5 - Referral Agency Comments](#)

**3. Barrett Farms, LLC**

Assessor's Parcel Number: 208-341-034

Record Numbers: PLN-11547-CUP

Dinsmore area

A Conditional Use Permit for 12,650 square feet of existing outdoor cultivation and 2,000 square feet of mixed light cannabis cultivation. Water for irrigation is sourced from rainwater catchment and an existing well. Water is stored in hard tanks totaling 105,750 gallons. Drying and other processing occurs at an adjacent parcel (APN 208-241-032). Electricity is sourced from solar power, with a backup generator.

**Recommendation:** That the Planning Commission:

1. Adopt resolutions (Resolution 23-\_\_) (Attachment 1) which does the following:
  - a. Finds that the Planning Commission has considered the Mitigated Negative Declaration previously adopted for the Commercial Medical Marijuana Land Use Ordinance and the Addendum to the Mitigated Negative Declaration that was prepared for the Barrett Farms LLC. project (Attachment 3); and
  - b. Finds that the proposed projects comply with the General Plan and Zoning Ordinance; and
  - c. Approves Barrett Farms LLC. Conditional Use Permit subject to the recommended conditions of approval (Attachment 1A).

*Attachments:*

- [11547 Staff Report 11.16.23](#)
- [Attachment 1A - Conditions of Approval](#)
- [Attachment 1B - Cultivation Plan](#)
- [Attachment 1C - Site Plan](#)
- [Attachment 2 - Map Set](#)
- [Attachment 3 - CEQA Addendum](#)
- [Attachment 4 - Applicant's Evidence in Support of Required Findings](#)
- [Attachment 4A - Site Management Plan](#)
- [Attachment 4B - Road Evaluation 2017](#)
- [Attachment 4C - LSA Waiver Letter](#)
- [Attachment 4D - FAA No Air Hazard 08.01.2019](#)
- [Attachment 4E - Well Completion Report 08.11.2017](#)
- [Attachment 4F - Rain Catchment Map](#)
- [Attachment 4G - Road Evaluation 03.12.20](#)
- [Attachment 4H - Humboldt County DEH worksheet](#)
- [Attachment 5 - Referral Agency Comments and Recommendations](#)
- [Attachment 5A - CalFire Referral](#)
- [Attachment 5B - Division of Environmental Health Referral](#)
- [Attachment 5C - Public Works Referral](#)

## **F. PUBLIC HEARINGS - RESIDENTIAL DEVELOPMENT**

**1. Valadao - Final Map Subdivision, Conditional Use Permit, Planned Unit Development**

Application Number: PLN-2021-17560

Assessor Parcel Number (APN) 510-381-021

McKinleyville area

A Major Subdivision of an approximately 2.47-acre parcel into nineteen (19) parcels. The parcel is currently developed with a single-family residence which will be sited on its own parcel along with shared parking facilities, a laundry building, and a storage building and accessory dwelling unit. An existing detached garage and two other outbuildings are proposed to be removed. A Planned Development Permit is also being requested to allow for clustered development of approximately 61 units, and to allow for shared parking facilities, reduced setbacks from interior lot lines, reduced lot size, and a reduced road right-of-way width. The proposed development includes three different housing types: thirty-two (32) one-bedroom units and twenty-four (24) two-bedroom townhouse units configured in a four-plex fashion, and four (4) single-family dwelling units. A Conditional Use Permit is requested to allow four (4) of the proposed parcels to host single-family dwelling units. The site will be served with community water and sewer provided by the McKinleyville Community Services District.

**Recommendation:** That the Planning Commission:

Adopt the resolution (Attachment 1) which does the following:

- a. Find that the project is consistent with the development density and policies established by an existing community plan and General Plan for which an EIR was certified, and that no additional environmental review is required per section 15183 of the State CEQA Guidelines; and
- b. make all of the required findings for approval of the Final Map Subdivision, Conditional Use Permit, and Planned Unit Development; and
- c. approve the Valadao Major Subdivision, Conditional Use Permit, and Planned Unit Development subject to the recommended conditions.

*Attachments:*

[17560 Staff Report 11.16.23](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 1A - Conditions of Approval](#)

[Attachment 1B - Public Works Department Recommended Conditions of Approval](#)

[Attachment 1C - Tentative Map](#)

[Attachment 1D - Grading Plan](#)

[Attachment 1E - Elevations & Floor Plans](#)

[Attachment 1F - Solar Shading Exhibit](#)

[Attachment 2 - Location Map 10.20.2022](#)

[Attachment 3A - Letter from Applicant with Development Information](#)

[Attachment 4 - Referral Agency Comments & Recommendations](#)

[Attachment 4A - Comment from School Dist.](#)

[Attachment 5A - Public Comment](#)



**2. Ruffino - Final Map Subdivision and Coastal Development Permit**

Application Number: PLN-2023-18066

Assessor Parcel Number (APN) 508-091-039

McKinleyville area

A Major Subdivision of an approximately 3.87-acre parcel into six (6) parcels ranging in size from approximately 18,123 square feet (net) to 35,737 square feet (net) in size. The parcel is located in the Coastal Zone and a Coastal Development Permit (CDP) is being sought in connection with the proposed subdivision. The site is currently vacant and will be served with community water and sewer provided by the McKinleyville Community Service District.

**Recommendation:** That the Planning Commission:  
Adopt the resolution (Attachment 1) which does the following:  
a. Find that the project is consistent with the development density and policies established by an existing community plan and General Plan for which an EIR was certified, and that no additional environmental review is required per section 15183 of the State CEQA Guidelines; and  
b. make all of the required findings for approval of the Final Map Subdivision and Coastal Development Permit; and  
c. approve the Ruffino Major Subdivision and Coastal Development Permit subject to the recommended conditions.

**Attachments:** [Staff Report](#)  
[Attachment 1 - Draft Resolution.pdf](#)  
[Attachment 1A - Recommended Conditions of Approval.pdf](#)  
[Attachment 1B - DPW Recommended COA's.pdf](#)  
[Attachment 1C - Tentative Map Package.pdf](#)  
[Attachment 2 - Location Map.pdf](#)  
[Attachment 3A - ROW Exception Request.pdf](#)  
[Attachment 3B - Hydrology Report.pdf](#)  
[Attachment 3C - Low Impact Development SCP.pdf](#)  
[Attachment 4 - Referral Agency Comments & Recommendations.pdf](#)  
[Public Comment.pdf](#)

**G. CONTINUED PUBLIC HEARINGS**

*The projects listed below are public hearing items that were continued to this date and have generated public comment prior to the hearing date or have other issues related to them that may require discussion,*

**1. Draft Short-term Rental Ordinance**

Record No.: LRP-2022-17963 & LRP-2023-18254

All unincorporated areas of Humboldt County

Inland and coastal zone ordinances to allow the use of residences for short-term rentals within the unincorporated areas of Humboldt County. The ordinance does the following:

- a) Creates two tiers of rentals consisting of units partially rented by the occupants of the residence and rental of the whole unit;
- b) Establishes performance criteria for the operation of short term rentals;
- c) Creates an Administrative Permit to authorize rentals which comply with the ordinance and allows approval of a discretionary permit when deviations from standards are requested.
- d) Creates a cap for the number of units allowed around the Humboldt Bay Area

The new ordinance would affect the following code sections:

1. Inland: Adds section 314-60.05, amends the tables in section 314-6 and 314-9, amends sections 314-37, 314-44, 314-55, 314-138, 314-141, 314-143, 314-153, 314-154, 314-157, 314-158, 314-163, 314-174 and 314-177 in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County.
2. Coastal: Adds section 313-61.05, amends the tables in section 313-6, and amends sections 313-44, 313-50, 313-55, 313-141, 313-143, 313-154, 313-157, 313-163, 313-172, and 313-177 in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County.

***Recommendation:***

That the Planning Commission:

1. Request staff provide introduction to the changes made to the draft Short-term Rental Ordinance in response to comments and Planning Commission deliberations at the October 26, 2023, and the November 2, 2023, Planning Commission meetings.
2. Allow for public comment on the proposed draft ordinance.
3. Deliberate and comment on the draft Short-term Rental Ordinance.
4. Provide guidance to Planning & Building Staff on any desired amendment selections to the draft ordinance and provide a recommendation to the Board of Supervisors.

***Attachments:***

[Staff Report](#)

[Attachment 1 Inland Draft Short-term Rental Ordinance 11.8 cm es.pdf](#)

[Attachment 2 Coastal Short-term Rental Ordinance 11.8 cm.pdf](#)

[Attachment 3 STR PC Resolutions \(Inland & Coastal\) 11.8 cm.pdf](#)

[Attachment 4 - Public Comments.pdf](#)

[Attachment 5 - PC Staff Report File ID 23-1445 10.26.23.pdf](#)

**2. Sign Ordinance**

Assessor Parcel Numbers (APN) 000-000-000

Record No.: PLN-2023-18011

Countywide

Amendment of the Inland and Coastal Zoning Ordinance sections regulating Signs and Nameplates to provide a uniform set of standards for the development, siting, size and installation of signs and (Section 87.3 of Chapter 3 and Section 87.2 of Chapter 4 of Division 1 of Title III of Humboldt County Code). These standards will protect aesthetic values along scenic highways, coastal views, and scenic areas; encourage siting in preferred locations to help preserve the County's environmentally sensitive habitat areas; ensure compatibility with Caltrans Outdoor Advertising Act requirements; and create standards to manage the size and locations of signs. The ordinance proposes changes to the following sections:

1. Amends sections 314-87.2.1 through 314-87.2.2 and adds sections 314-87.2.3, 87.2.4, 87.2.5, 87.2.6, 87.2.7, 87.2.8, and 87.2.9 in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County.
2. Amends sections 313-87.3.1, 87.3.2, and 87.3.3 and adds sections 313-87.3.4 in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County.

**Recommendation:** That the Planning Commission:

1. Adopt the resolution (Resolution 23-\_\_) recommending that the Humboldt County Board of Supervisors take the following actions:
  - a. Find the proposed ordinance is exempt from CEQA pursuant to §15303 of the State CEQA Guidelines and
  - b. Find that the modifications to the Zoning Ordinance are consistent with the General Plan or Local Coastal Plan
  - c. Adopt the Amendment to the Inland and Coastal Zoning Ordinance sections regulating the location and size of signage.

**Attachments:**

[18011 Staff Report 11.16.23](#)

[Attachment 1 - \(PROPOSED DRAFT PC\) Sign Ordinance 11.16.23.pdf](#)

[Attachment 2 - \(PROPOSED DRAFT PC\) Coastal Sign Ordinance 11.2.23.pdf](#)

[Attachment 3 - 18011 Draft Resolution \(Inland\).docx](#)

[Attachment 4 - 18011 Draft Resolution \(Coastal\).docx](#)

[Attachment 5 - Public Comments](#)

[Attachment 6 - PC Staff report and Attachments 11.02.23.pdf](#)

**H. NEW 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. JDS Construction Inc. Special Permit  
Record Number: PLN-2023-18288  
Assessor Parcel Number: 512-072-002

A Special Permit for the construction of a new 2,032 square foot two-story two-bedroom Accessory Dwelling Unit (ADU) pursuant to Section 314-69.05.4.3.1 of the Humboldt County Code (HCC).

**Recommendation:** That the Planning Commission:

Adopt the Resolution (Attachment 1) which does the following:

- a. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
- b. Finds the project exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines, and that there is no substantial evidence that the project will have a significant effect on the environment; and
- c. Approves the Special Permit subject to the recommended conditions of approval (Attachment 1A).

**Attachments:**

[18288 Staff Report 11.16.23](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 1A - Conditions of Approval](#)

[Attachment 1B - Site and Construction Plans](#)

[Attachment 2 - Wetland and Other Waters Delineation Report](#)

[Attachment 3 - Leach Field Suitability Report](#)

[Attachment 4 - Referral Agency Comments and Recommendations](#)

[Attachment 5 - Public Comment](#)

**2. Georgi Stoyanov Special Permit**

Assessor Parcel Number: 212-311-002

Record No.: PLN-11929-SP

Miranda Area

A Special Permit for 9,975 square feet (SF) of existing outdoor cannabis utilizing light deprivation techniques and 1,470 SF of ancillary propagation, which will be reduced to 980 SF. Irrigation water is sourced from a permitted groundwater well. A hydrogeological report concludes the well is not hydrologically connected to surface waters or other significant groundwater sources. Existing available water storage is 6,300 gallons in four (4) hard-sided tanks. The applicant has proposed to obtain an additional 20,000 gallons of hard tank water storage for a total of 26,300 gallons. Estimated annual water usage is 132,000 gallons. Drying and processing occurs onsite in an existing residential accessory structure pursuant Department Policy Statement No. 21-02. No employees are proposed for project operations. Power is provided by Pacific Gas and Electric Company (PG&E).

**Recommendation:** That the Planning Commission:

1. Adopt the resolution (Resolution 23-\_\_). (Attachment 1) which does the following:
  - a. Finds that the Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CCMLUO) that was prepared for the Georgi Stoyanov project (Attachment 3); and
  - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
  - c. Approves the Special Permit subject to the recommended conditions of approval (Attachment 1A).

***Attachments:***

[11929 Staff Report 11.16.23](#)  
[Attachment 1 - Draft Resolution](#)  
[Attachment 1A - Conditions of Approval](#)  
[Attachment 1B - Cultivation and Operations Plan](#)  
[Attachment 1C - Cultivation Operations Plan Addendum](#)  
[Attachment 1D - Site Plan](#)  
[Attachment 2 - Location Maps](#)  
[Attachment 3 - CEQA Addendum](#)  
[Attachment 4 - Applicant's Evidence in Support of Required Findings](#)  
[Attachment 4A - Notice of Applicability](#)  
[Attachment 4B - Water Resource Protection Plan](#)  
[Attachment 4C - Notification of Lake or Streambed Alteration](#)  
[Attachment 4D - Timber Conversion Evaluation](#)  
[Attachment 4E - Timber Restocking Report](#)  
[Attachment 4F - Public Works Road Evaluation Report Form](#)  
[Attachment 4G - Hydrogeologic Report](#)  
[Attachment 5 - Referral Agency Comments and Recommendations](#)  
[Attachment 5A - Public Works, Land Use Division Response](#)  
[Attachment 5B - CalFIRE Response](#)  
[Attachment 5C - CDFW Response](#)

**I. ITEMS PULLED FROM CONSENT****J. REPORT FROM PLANNER****K. PLANNING COMMISSION DISCUSSION ITEMS****L. ADJOURNMENT****M. NEXT MEETINGS**

*November 30, 2023 - Hybrid Meeting*

*December 14, 2023 - Hybrid Meeting*