

**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, May 4, 2017**

**6:00 PM**

**Regular 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**

**PUBLIC COMMENTS**

*At this time persons may appear before this Commission on any matter 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 Frink Zone Boundary Interpretation  
Case Number ZBA 16-004  
Assessor Parcel Number 522-142-002  
Willow Creek Area

A Zone Boundary Interpretation to move the FP - Flood Plain zoning designation line further upslope, away from the Trinity River, placing more property within the FP - Flood Plain zoning designation and reducing the area zoned R-S - Residential Suburban on the property. The FP designation will apply to the entire portion of the property subject to the 500-year flood hazard.

**Recommendation:** Move to find the Zone Boundary Interpretation is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines - General Rule, make all of the required findings, based on evidence in the staff report, and adopt the Resolution approving the proposed Frink project subject to the recommended conditions.

**Attachments:** [ZBA 16-004 Staff Report](#)

- 2 Adams Zone Boundary Interpretation  
Case Number ZBA 16-006  
Assessor Parcel Number 522-142-033  
Willow Creek Area

A Zone Boundary Interpretation to move the FP - Flood Plain zoning designation line further upslope, away from the Trinity River, placing more property within the FP - Flood Plain zoning designation and reducing the area zoned R-S - Residential Suburban on the property. The FP designation will apply to the entire portion of the property subject to the 500-year flood hazard.

**Recommendation:** Move to find the Zone Boundary Interpretation is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines - General Rule, make all of the required findings, based on evidence in the staff report, and adopt the Resolution approving the proposed Adams project subject to the recommended conditions.

**Attachments:** [ZBA 16-006 Staff Report](#)

- 3** Walsh Surface Mining Conditional Use Permit & Reclamation Plan  
Case Nos. CUP-17-014/SMP-17-001/RP-17-001;  
Assessor Parcel Number APN 311-081-05  
Fortuna area

Renewal of a 15-year permit term for a previously approved rock quarry surface mining operation which has been permitted and operating for the past 25 years. The project includes renewal of a Conditional Use Permit, Surface Mining Permit, Reclamation Plan, and review of financial assurance cost estimates for a surface mining operation involving an open pit upland rock quarry with a proposed total extraction of 90,000 cubic yards over a 15-year period from an open pit mine. The method of surface rock removal will involve the use of explosives and an air track drill spaced on an 8'-10' grid pattern back from the rock face. Other equipment to be used includes a "cat 966 loader", a "cat D-7 crawler", and a grizzly dry screen sorter. Rock products will be hauled by end-dump trucks. Truck trips are estimated at an average daily traffic of five. Aggregate production will be conducted by a three man crew on a demand basis and portable toilet facilities will be provided for on-site employees.

**Recommendation:** Adopt the Addendum to the Mitigated Negative Declaration and to make all of the required findings for approval of the Surface Mining Conditional Use Permit and Reclamation Plan, based on evidence in the staff report and public testimony, and adopt the Resolution approving the Walsh project subject to the recommended conditions.

**Attachments:** [SMP 17-001 Staff Report](#)

## CONTINUED PUBLIC HEARINGS

### 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*

- 4 Emerald Family, LLC Conditional Use Permit and Special Permit  
Case Numbers: CUP-16-022 and SP-16-032  
Assessor Parcel Numbers 522-201-001 and 522-491-016  
131 Flower-McNeil Road, Willow Creek Area

A Conditional Use Permit and Special Permit for Phase 1 of a three-phase project involving the development of cannabis cultivation, processing, nursery, and manufacturing facilities in accordance with the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO). Phase 1 consists of cannabis processing activities for the applicant within an existing 23,000 square foot (SF) commercial metal building and approximately seven (7) acres of outdoor cultivation. The applicant is proposing to use approximately 12 greenhouses as part of the outdoor cultivation. Irrigation water will be provided by the Willow Creek Community Services District. The business will operate on an approximately 17-acre portion of the 41-acre parcel; no development is proposed on the portion of the property known as APN 522-491-016. Subsequent Phases 2 and 3 are described as follows and will require separate land use permit approval. Phase 2: the development of an approximate 17,500 SF cannabis manufacturing facility, rehabilitation of an existing 890 SF office building to be used for transportation and distribution activities, development of eight 20,000 SF greenhouses (160,000 SF total), and the development of on-site ponds for water storage and pretreatment. The greenhouse development will reduce the outdoor cultivation area under Phase I from 7 to 3 acres. Phase 3: the construction of a new building of up to 4-stories in height and approximately 95,000 SF to be used for plant nursery and indoor cultivation. Once Phases 1, 2 and 3 are complete and operational, it is estimated that the facility will employ 75 people. Also a Special Permit for the reduction of the 100-foot buffer to allow a 50-foot buffer for the delineated wetland. The applicant will protect this feature by conserving the existing wetland vegetative buffer, installing fencing during the construction phase, and a wildlife friendly split rail fence for the life of project.

**Recommendation:** Move to adopt the Mitigated Negative Declaration, and to 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 Family, LLC project subject to the recommended conditions.

**Attachments:**     [161220 Exhibit A addendum letter](#)  
                         [161220 Exhibit B consent for activities](#)  
                         [161220 Exhibit C operating agreement](#)  
                         [161220 Exhibit D articles of organization](#)  
                         [161220 Exhibit E revised pre-reg and original](#)  
                         [161220 Exhibit F indemnification agreement](#)  
                         [161220 Exhibit G flood plain FEMA](#)  
                         [161220 Exhibit H acknowledgement form](#)  
                         [161220 Exhibit I biological report](#)  
                         [161220 Exhibit J septic suitability letter](#)  
                         [161220 Exhibit K CUPA hazardous waste](#)  
                         [161220 Exhibit N preliminary soils report](#)  
                         [161220 Exhibit O change of occupancy summary](#)  
                         [161220 Exhibit Q water us methodology](#)  
                         [161220 Exhibit R wetland delineation](#)  
                         [170317 Exhibit P rev.3 cultivation and operation plan](#)  
                         [170322 Exhibit M rev.2 preliinary drainage report](#)  
                         [170322 Exhibit S rev.1 Limited Scope Geologic Hazards Assessment -Letter](#)  
                         [EFF WC CEQA MND 03-30-17--with signature added](#)  
                         [CUP 16-022 Staff Report](#)

- 5** Northern Emeralds Special Permit  
Case Number SP 16-018  
Assessor's Parcel Number 513-151-032  
5460 Dows Prairie Road, McKinleyville

A proposed Special Permit for an existing two-thousand five-hundred (2,500) square foot indoor cultivation area within an existing barn on the property. The proposed Special Permit would also allow an expansion of the cultivation area by an additional two-thousand five-hundred (2,500) square feet to a total of five-thousand (5,000) square feet. The proposed Special Permit is associated with another approved project on the same property, a Zoning Clearance Certificate (ZCC 16-007) for a new ten-thousand (10,000) square foot mixed-light cannabis cultivation area.

**Recommendation:** Find the project exempt from environmental review pursuant to Section 15301 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 Northern Emeralds Special Permit, subject to the recommended conditions.

**Attachments:**     [SP 16-018 Staff Report](#)

- 6 Samoa Pacific Group Coastal Development Permit, Conditional Use Permit, Planned Development Permit and Special Permit  
Case Numbers CDP 16-064, CUP 16-209, PDP 17-001, SP 17-008  
Assessor Parcel Numbers 401-031-036, 401-031-065, 401-031-038, 401-031-044, 401-031-046, 401-031-055, 401-031-059  
Samoa area

A Coastal Development Permit, Conditional Use Permit, and Planned Development Permit for: 1) reconstruction and new construction for Vance Avenue from the north end of Samoa near Cookhouse Road southerly to the south end of the Samoa Pacific Group property. The work will include sidewalk construction, shoulder widening and installation of underground utilities; 2) development of an eighty (80) unit affordable housing project which includes ten buildings, including a community building with kitchen, office and meeting room; 3) construction of a water storage tank for domestic water and fire suppression for Samoa; and 4) construction of a new wastewater treatment and effluent disposal system for Samoa (The construction will be the first phase of a system that will be enlarged incrementally as new development progresses in Samoa). A Special Permit is required for Design Review.

**Recommendation:** Move to adopt the Mitigated Negative Declaration, and make all of the required findings for approval of the Coastal Development Permit, Conditional Use Permit, Planned Development Permit and Special Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Samoa Pacific Group project subject to the recommended conditions.

**Attachments:** [CDP 16-064 Staff Report](#)  
[Biological Report](#)  
[Certified EIR Mitigation Measures](#)  
[Greenhouse Gas Analysis](#)  
[WTrans Traffic Analysis](#)

## DEPARTMENTAL REPORT

- 7 Director Ford to give Planning Commission project forecasting update.

**Attachments:** [PC project forecast report May 4, 2017](#)

## ADJOURNMENT

## NEXT MEETINGS

May 18, 2017      *Special Meeting*  
June 1, 2017      *Regular 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.*