

PLANNING COMMISSION

Robert Morris
Chair - Second District
David Edmonds
Vice Chair - At Large
Alan Bongio
First District
Noah Levy
Third District
Kevin McKenny
Fourth District
Ben Shepherd
Fifth District
Brian Mitchell
At Large



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, October 19, 2017

5:00 PM

Special 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.

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 Beau Pre Heights Final Map Subdivision Extension

Case Number FMS-06-011X

Assessor's Parcel Number (APN) 510-011-015; 511-161-004; 510-011-017; 511-111-059

McKinleyville Area

A two year extension of a Final Map Subdivision of an approximately 197.3 acre parcel (formerly known as Norton Creek Estates, now termed Beau Pre Heights Subdivision) into 79 residential parcels ranging in size from 1.03 acres - 4.79 acres, and an open space parcel encompassing streamside management areas and wetlands. The Tentative Map will also protect an approximate 36-acre Sitka spruce forest stand deemed a "rare natural community" by the Department of Fish and Game. Pursuant to Section 322.5-1 et seq. H.C.C., an exemption to the solar access standards is requested for all lots based on the fact that all lots in the proposed development are greater than one acre and lot configuration does not constrain solar access. The proposed subdivision would include a small (3.4 acre) community park and series of trails, open to the general public for pedestrian and bicycle use. The project site is accessed from the south via Murray Road and from the north via Norton Road, both of which are two-lane roadways as they approach the site. A portion of the project area is located within the designated Approach Zone (Zone C) for the Arcata-Eureka Airport, however, the proposed densities do not exceed those currently allowed (4 units/acre) for this zone and should not impact the airport in any way. The Arcata-Eureka Airport is located approximately one mile to the northwest of the site. The project includes Street Name Assignments to name the proposed new unnamed access roads that are to serve the proposed subdivision. The project will be served by community water and on-site septic systems. If approved, the extension will extend the life of the tentative map to June 14, 2019.

Recommendation: Make all of the required findings, based on evidence in the staff report, and approve the Beau Pre Heights Final Map Subdivision Extension on the Consent Agenda subject to the recommended conditions of approval

Attachments: [FMS-06-011X 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

2 Commercial Cannabis Land Use Ordinance (CCLUO).

Case Number OR 17-02

Countywide

Update the County's existing Commercial Medical Marijuana Land Use Ordinance (Section 313-55.4 and 314-55.4 of Chapter 3 of Division 1 of Title III of the County Code) as well as repeal of the Medical Cannabis Testing and Research Laboratories provisions and on-site consumption prohibition found in Sections 313-55.3.15, 314-55.3.15, 313-55.3.11.7, and 314-55.3.11.7 of Division 1 of Title III of the County Code, respectively. These regulations establish land use regulations for the commercial cultivation, processing, manufacturing, distribution, testing, and sale of cannabis within the County. The proposed ordinance would apply throughout the unincorporated areas of Humboldt County, including the Coastal Zone. A Draft Environmental Impact Report (EIR) has been prepared for this Project and will be considered by the Planning Commission.

Recommendation: Continue Public Hearing to November 2, 2017

Attachments: [OR-17-002 Staff Report](#)

3 Interim Amendment of Commercial Medical Marijuana Land Use Ordinance (CMMLUO)

Case Number OR 17-007

Inland area of the County

Adoption of an ordinance establishing interim provisions for the regulation of commercial cannabis activities for the California Adult Use marketplace. The ordinance performs minor changes to the County's existing Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and Dispensary Regulations (Sections 313 and 314-55.4 and 313 and 314-55.3, respectively, of Division 1 of Title III of the County Code, Chapters 3 and 4) to enable these existing local regulations to govern various commercial activities for both Medical and Adult Uses, including cultivation, processing, manufacturing, distribution, testing, and sale of cannabis within the County. The ordinance will allow issuance of interim permits to applicants applying to permit existing cultivation sites and whose applications were complete before July 14, 2017. The amendments are designed to preserve local review and control of these activities in tandem with forthcoming state licensing, which is expected to begin by January 1, 2018.

Recommendation: Move to make all of the required findings, based on evidence in the staff report and public testimony, and recommend the Board of Supervisors adopt the attached resolution and ordinance enacting the Interim Amendments to the Zoning Regulations addressing commercial cannabis activities for Medicinal and Adult Use and authorizing interim permitting.

Attachments: [OR 17-007 Staff Report](#)

DEPARTMENTAL REPORT

4 Cannabis Workshop

Continuation of Public Workshop on the Commercial Cannabis Land Use Ordinance providing an opportunity for the public and the Planning Commission to review and comment on policy alternatives developed in response to commission and public discussion during the first three ordinance workshops. Staff will continue to present the individual alternatives to the Commission during the workshop and provide recommendations and guidance on each of the specific areas of revision.

ADJOURNMENT

NEXT MEETINGS

November 2, 2017 Regular Meeting

November 16, 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 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.