

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, February 15, 2018

6:00 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

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.

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 Reliable Organic Farms, LLC Conditional Use Permit

Case Number CUP 17-049

Assessor's Parcel Number 107-233-006

Honeydew area

Reliable Organic Farms, LLC, is seeking a Conditional Use Permit for an existing sixteen-thousand (16,000) square foot (SF) commercial medical cannabis cultivation occurring in five (5) greenhouses. Irrigation water is from an onsite well with a solar-powered pump and a flow meter for monitoring and reporting. Water storage consists of twenty-nine thousand (29,000) gallons in a bladder and hard tanks for use during the May to October forbearance period. Annual water budget is approximately one-hundred twenty-eight thousand (128,000) gallons. Processing will be onsite in an existing eight-hundred twenty (820) SF building by the Applicant and one (1) full-time seasonal employee who lives onsite.

Recommendation: Find the project Categorically Exempt from environmental review pursuant to Sections 15301, 15303, and 15304 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 any public testimony, and adopt the Resolution approving the proposed Reliable Organic Farms, LLC Conditional Use Permit subject to the recommended conditions.

Attachments: [CUP 17-049 Staff Report](#)

- 2 Mountainwise Farms Conditional Use Permit
Case Numbers CUP 16-444
Assessor's Parcel Numbers (APN) 317-183-000
3070 Pigeon Point Rd., Eureka, CA 95503

Mountainwise Farms is seeking a Conditional Use Permit for an existing 22,000 square foot (sf) outdoor commercial medical cannabis cultivation. All water used for cultivation of cannabis is sourced on-site from a shallow hand-dug (seep) well that, although registered with the State Water Resources Control Board, does not flow off the property. Water is stored in three bladders (60,000 gallons), and two hard-sided storage tanks (4,350 gallons). The applicant estimates 369,200 gallons of water use annually. To meet the need for added storage of water for cultivation during the forbearance period, a 500,000 gallon rain catchment pond and well are planned. The Applicant will install a water meter to document compliance. Appurtenant processing of cannabis product grown on-site occurs inside an existing shop structure. There will be between two to four employees at full operation. Electricity is provided by a solar power and back-up generator power. The property is also developed with an existing single-family residence served by on-site water and sewage disposal systems. Site restoration plans include removal and replacement of a derelict barn and the restoration of a Class III stream that passed under a historic greenhouse location.

Recommendation: Find the project Categorically Exempt from environmental review pursuant to Sections 15301, 15302, 15304, and 15333 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 any public testimony, and adopt the Resolution approving the proposed Mountainwise Farms Conditional Use Permit subject to the recommended conditions.

Attachments: [CUP16-444 Staff Report](#)

3 Lazy S Ranch, LLC Conditional Use Permit

Case Number CUP 17-018

Assessor's Parcel Numbers (APNs) 033-130-002 and 033-130-007

2557 Blue Rock Road, Benbow Area

A Conditional Use Permit for 37,010 square feet of existing outdoor commercial cannabis cultivation. Water for irrigation is sourced from a rainwater catchment system that captures rainwater from nearby existing and future structures. Water is stored in a series of four ponds with a total storage capacity of approximately 1,137,000 gallons, and nine hard tanks with a total capacity of 18,900 gallons.

Projected water use is 241,000 gallons per growing season. Processing, drying, and curing of cannabis takes place in a 3,200-square-foot barn. The cannabis cultivation operation currently employs four full-time workers and four part-time workers. Solar panels (16 panels, 250 watts each) supply the power source for cultivation and processing activities.

Recommendation: Staff requests continuance of this item to the March 1, 2018 Planning Commission meeting to address concerns expressed about the existing cultivation area.

Attachments: [CUP 17-053 Continuance request for PC 2.15.18](#)

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 MBC Valley Properties, LLC, Conditional Use Permit

Case Numbers CUP-17-053, CUP-18-005, CUP-18-006

Assessor's Parcel Numbers (APNs) 107-102-003, -004, -005, -103-007, -012

1890 and 2188 Burrel Road and SW Quarter of Section 01, Township 03 South, Range 01 West, Honeydew area

MBC Valley Properties seeks approval of three Conditional Use Permits for a proposed 2.5-acre outdoor and 22,000-square-foot mixed light medical cannabis cultivation operation. The Applicant is proposing to consolidate cultivation activities on several parcels to one parcel and not cultivate on the adjacent parcels. The Applicant states that a covenant will be developed to join contiguous parcels (107-103-012, 107-102-005, 107-103-007, 107-102-004, 107-102-003), creating an area totaling approximately 325 acres in size. Water for irrigation will be provided by a proposed 3,000,000-gallon rainwater catchment pond. Processing, including drying and curing, will occur on-site while the proposed project includes utilization of an off-site trimming facility when available. Four full-time and up to 10 seasonal employees are required to meet operational needs. Electricity is provided by PGE.

Recommendation: Applicant has requested continuance of this item to the March 1, 2018 Planning Commission. Item is continued to March 1, 2018.

Attachments: [CUP 17-053 Continuance request for PC 2.15.18](#)

- 5 CannaBoutique Dispensary Conditional Use Permit
Case Number CUP 16-632
Assessor's Parcel Number (APN) 015-011-029
1672 Myrtle Avenue, Eureka Area

CannaBoutique Dispensary is applying for a Conditional Use Permit to allow for the operation of a medical cannabis dispensary that would provide medical marijuana to collective members in accordance with Humboldt County Code Section 314-55.3, Medical Cannabis Dispensaries, of Chapter 4 of Division 1 of Title III. The proposed dispensary (project) would be located within 1,200 square feet of an existing commercial building. The hours of operation for the proposed project would be Monday through Friday, 10:00 AM to 7:00 PM; the dispensary would be closed on Saturday and Sunday.

Recommendation: Move to make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed CannaBoutique project subject to the conditions of approval.

Attachments: [CUP 16-632 Staff Report for PC 2.15.18](#)
[Supplemental #1 for PC 2.15.18](#)

- 6 Zoning Ordinance Amendments
Interim Permitting of Existing Cultivation Activities
Case Number OR 18-001

Humboldt County has existing ordinances regulating commercial medical cannabis activities, including the Commercial Medical Marijuana Land Use Ordinance (Ordinance No. 2544, which was adopted February 26, 2016 and modified on September 13, 2016 (Ordinance 2559). On November 14, 2017, the ordinance was further modified by Ordinance 2588 to include provisions for the issuance of interim permits to certain eligible applicants seeking to permit lawful pre-existing cultivation sites in accordance with provisions for temporary licensing now authorized under the Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA") (SB 94). Since becoming effective in mid-December 2017, the Department has processed and issued over 350 Interim Permits to applicants and operators of pre-existing cultivation sites. The project proposes amendments to the interim permitting provisions in Section 314-55.4.8.11 of Humboldt County Code to allow issuance of interim permits to additional eligible pre-existing cultivation sites.

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 enact the proposed amendments to County Code concerning Interim permitting.

Attachments: [OR-18-001 Staff Report](#)

ADJOURNMENT

NEXT MEETINGS

March 1, 2018 Regular Meeting

March 15, 2018 Special 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.