

**PLANNING COMMISSION**

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Director, Planning and Building

**COUNTY OF HUMBOLDT  
PLANNING COMMISSION**

825 Fifth Street  
Board of Supervisors Chambers  
Eureka, California

**AGENDA**

Thursday, April 5, 2018

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**

- 1 Approval of the March 15, 2018 Planning Commission Action Summary.

*Attachments:* [PC Action Summary 3.15.18 for review and approval](#)

## 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.*

- 2** Bridgeville Qualified Patients Association, Inc Conditional Use Permit  
Case Number CUP-16-753  
Assessor Parcel Number (APN) 210-033-006  
Bridgeville/McClellan Mountain area

A Conditional Use Permit for an existing outdoor commercial cannabis operation. The requested approval includes the operation of an existing 22,500 square foot outdoor commercial cannabis cultivation on an approximately 120-acre parcel. Water for cultivation activities will be supplied via a permitted onsite well. Water will be stored in three (3) 3,000-gallon hard tanks for a total of 9,000 gallons of water storage. The cultivation operations would use approximately 86,000 gallons of water annually. The cannabis is processed (machine trim and dry) in the applicant's residence at APN 210-032-009, approximately one mile from the cultivation site, but the applicant intends to obtain necessary permits to be in compliance with the CMMLUO. A generator provides power to the well water pump and both are stored in an enclosure for noise containment. There will be no employees; all cultivation and processing activities will be performed by the applicant and family members. The applicant has enrolled with the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program as a Tier 2 discharger (WDID# 1B161747CHUM).

**Recommendation:** Find the project exempt from environmental review pursuant to Section 15301 and 15303 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 Bridgeville Qualified Patients Association, Inc. project subject to the recommended conditions.

**Attachments:** [CUP 16-753 Staff Report](#)

**3** Bridgeville Humboldt, LLC Conditional Use Permit  
Case Numbers CUP 16-907 and SP-18-037  
Assessor Parcel Numbers 210-022-045  
Bridgeville Area

A Conditional Use Permit and Special Permit for 24,000 square feet (SF) of existing full-sun outdoor cannabis cultivation located in four areas on Assessor's Parcel Number (APN) 210-022-045, which is approximately 22 acres in size. Approximately 20,000 SF of the existing cultivation areas is planned to be relocated on site to an area identified as environmentally superior, and this project includes a Special Permit for development (removal and remediation of cultivation areas) from within an SMA. Irrigation water is sourced from an on-site permitted well and stored in three plastic storage tanks with a total storage capacity of 8,000 gallons. Water demand ranges from 200 to 30,000 gallons per month, and the annual water budget is 146,200 gallons. All product grown on-site will be processed off-site at a licensed facility. Per the applicant there will be no employees, but there may be up to three (3) volunteers on site during peak times. Structures where non-immediate family members gather must meet building code requirements and sanitation codes. Sewage disposal will be provided by an on-site septic system which the applicant will complete permitting for as part of the conditions of approval. Power will be provided by two gasoline generators and a small solar system.

**Recommendation:** Find the project exempt from environmental review pursuant to Sections 15301, 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 Bridgeville Humboldt LLC Conditional Use Permit subject to the recommended conditions.

**Attachments:** [CUP 16-907 Staff Report](#)

- 4 Tehan Buehler Conditional Use Permit  
Case Number CUP 16-498  
Assessor Parcel Number 522-211-053  
Willow Creek Area

A Conditional Use Permit for a new commercial medical cannabis cultivation operation. The requested approval is for 5,000 square feet of mixed-light cultivation on a 2.54-acre parcel. The proposed cultivation area consists of two greenhouses; one is 1,500 square feet and the other is 3,500 square feet. Irrigation water will be sourced from the municipal water supply (Willow Creek Community Services District), and the total projected water usage is approximately 25,000 gallons per year. Power for the cannabis cultivation activities will be supplied by Pacific Gas & Electric. Processing and drying of cannabis will take place on-site in a portable carport tent. There will be no employees for the operation. Cultivation and processing activities will be performed by the property owner/applicant and his family. The applicant has enrolled with the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program as a Tier 1 discharger.

**Recommendation:** Find the project exempt from environmental review pursuant to Sections 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 Tehan Buehler project subject to the recommended conditions.

**Attachments:** [CUP 16-498 Staff Report](#)

**5 Redwood Parks Lodge Co., Inc. Coastal Development Permit, Conditional Use Permit and Special Permit Extension**

Case Numbers CDP-14-016XX, CUP-14-008XX, SP-14-022XX

Assessor's Parcel Number 520-142-009-000

Orick Area

The project is a second two-year extension of the following project: A Coastal Development Permit, Conditional Use Permit and Special Permit for a 152 unit transient habitation facility (special occupancy park), to include: a campground, RV Park, Lodge (commercial center), and gas station. The special occupancy park will include 82 RV sites, 48 tent camping sites, 12 park model cabins, 10 cottages, 3 bathhouses, internal trails connecting to the existing Redwood Creek Levee Trail, an open playing field, and a commercial center constructed in a traditional lodge building style. The commercial center will include the resort activity center, administrative offices, a deli and convenience store/gift shop, a touring center, and gas station. An existing residence will remain and be used as a caretaker's residence and office space. A 2,076 square foot maintenance barn will be constructed to the north of the residence and will house the wastewater treatment system operations and maintenance area. The on-site sewage disposal system proposed is an Orenco Advantex Wastewater Treatment system suitable for processing approximately 19,500 gallons of waste per day. The primary leach field will be located near the existing house. Water will be provided by the Orick Community Services District. All utility lines will be underground. The resort will host up to 12 special events per year such as weddings, celebrations, family reunions, school/youth field trips, and small musical productions. Events will generate a maximum of 100 attendees who are not staying on site and may be held between the hours of 12 PM and 9 PM. A Special Permit is included to establish parking for a non-enumerated use. A maximum of 100 additional guests (those not staying overnight at the Resort) will be attending special events. To meet this demand 50 parking spaces are proposed in addition to those required by the other facilities (277 parking spaces). Wetland 1 located at the base of the Redwood Creek Levee is partially located within the Coastal Zone. This wetland will not be altered as a result of the project. Other non-coastal wetlands (2 through 5) on site are NWI wetlands and will be filled to facilitate the project. Wetland fill will be mitigated by wetland creation and enhancement, to be implemented at a 2:1 ratio on the coastal portion of the site adjacent to the existing wetland within the 100-foot wetland setback area. Proposed on-site signage will include up to three monument signs that will be backlit or illuminated with down-shielding lighting. No changes to the project are proposed.

**Recommendation:** Make all of the required findings, based on evidence in the staff report, and approve the application(s) on the Consent Agenda subject to the recommended conditions.

**Attachments:** [CDP 14-016XX Staff Report](#)

**6 Humboldt Bay Harbor, Recreation and Conservation District (HBHRCD) Coastal Development Permit**

Case Numbers CDP-15-043M/CUP-15-014M

Assessor Parcel Number 401-112-021-000

Samoa Area

The project is a Minor Modification to add a saltwater test well to an existing Coastal Development Permit and Conditional Use Permit for renovation of existing facilities and infrastructure within that portion of the property within the coastal permit jurisdiction of the County. A 5-inch diameter test well up to 300 feet in depth will be developed on the site in a location outside of sensitive biological and cultural resource areas. The purpose of the test well is to determine if there is sufficient salt water supply and salinity for prospective aquaculture uses at Redwood Marine Terminal II (RMT II). The existing CDP and CUP allowed facility renovations including new roofing, building siding and access doors, water, wastewater and fire suppression system upgrades, electrical upgrades, and upgraded security fencing. These renovations have been mostly completed and do not expand the facility capacity.

**Recommendation:** Adopt the Addendum to the Mitigated Negative Declaration prepared for the project by the HBHRCD, make all of the required findings, based on evidence in the staff report, and approve the application(s) on the Consent Agenda subject to the recommended conditions.

**Attachments:** [CDP 15-043M Staff Report](#)

**7 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:** Find the project exempt from environmental review pursuant to Sections 15301 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 Lazy S Ranch, LLC project subject to the recommended conditions.

**Attachments:** [CUP 17-018 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*

**8 SUMMIT WEST PROPERTY MANAGEMENT, LLC Zone Reclassification and PROXIMA INVESTMENTS, LLC Special Permit**

Case Numbers ZR-17-006 and SP-16-123

Assessor Parcel Number (APN) 313-203-020

Fickle Hill/Arcata Area

A Zone Reclassification (ZR) to change the zoning of APN 313-203-020 from the Unclassified (U) zone to Agriculture General with a Special Building Site Combining Zone of 10-acres AG B-5(10) in order to implement the General Plan land use designation of Residential Agricultural (RA) with a density range of one dwelling unit per five acres to one dwelling per 20 acres (5-20). The subject 12.81 acre parcel. A Special Permit (SP) for an indoor commercial cannabis cultivation operation to occur inside two existing non-residential structures, with a total cultivation area of 3,565 square feet. Commercial cannabis will be cultivated using hydroponic methodologies. The proposed indoor cultivation of commercial cannabis is occurring and is an existing operation on the property. A permitted well is the irrigation water source and the applicant has a total of 22,000 gallons of hard tank water storage on site. Plants will be dried, cured, and stored in the drying room on-site, and processing will occur off-site with a third party licensed processor. The applicant estimates two employees throughout the year and up to eight employees during at peak operations. The power source is PG&E, and the applicant has enrolled in the Solar Choice Program to meet the 100 percent renewable power source requirement for indoor cultivation. An existing generator will be used only on an emergency basis during power outages. The applicant has enrolled with the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program as a Tier 1 discharger. The Zone Reclassification to change the principal zoning of the property from Unclassified (U) to Agricultural General (AG) must be approved by the Board of Supervisors before the Special Permit for indoor cannabis cultivation is effective because indoor cannabis cultivation is allowed on properties zoned AG, but is only allowed in the Unclassified zoning district where the subject property is developed with an industrial use [Reference Humboldt County Code Section 314-55.4.8.3. The subject parcel is not developed with an industrial use.

**Recommendation:** Staff Recommendation for Special Permit: Find the Special Permit to be Categorically Exempt from pursuant to Sections 15301 and 15303, 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 Resolution No. 1 approving the proposed Proxima Investments, LLC Special Permit subject to the recommended conditions and contingent upon the Board of Supervisors approval of the of the Zone Reclassification.

Staff Recommendation for Zone Reclassification: Move to 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 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 approve the Summit West Property Management Zone Reclassification



application subject to the approved conditions by adopting Resolution No. 2.

*Attachments:*        [ZR 17-006 and SP 16-123 Staff Report](#)

## **ADJOURNMENT**

## **NEXT MEETINGS**

*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.*