

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, September 20, 2018

6:00 PM

Regular 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

Items 3, 4 and 5 have requested continuances.

APPROVAL OF ACTION SUMMARY

Planning Commission Action Summary of August 16, 2018 for review and approval.

Recommendation: Move to approve the August 16, 2018 Planning Commission Action Summary.

Attachments: [Planning Commission Action Summary of 8.16.18 for review and approval.pdf](#)

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** Mercer Fraser Company, Coastal Development Permit and Conditional Use Permit
Application Number 14047
Case Numbers CDP-17-001M and CUP-17-004M
Assessor Parcel Numbers 517-155-007 and 517-155-008
Big Lagoon area

Modification of a previously approved Coastal Development Permit and Conditional Use Permit for siting a portable asphalt plant on property owned by Green Diamond Company near Big Lagoon in support of a regionally important Caltrans construction project on Highway 101. The modification requests the siting of the portable asphalt batch plant be extended to keep the plant on-site indefinitely for intermittent use following completion of the Caltrans project to support other regional construction projects. The proposed location is industrially zoned and has historically been used for heavy industrial activities, including a lumber mill site. The asphalt plant and ancillary equipment includes storage bins, storage piles, and will involve support vehicles such as a loader, water truck, and material transport haul trucks. The site will be operated on an as-needed basis as construction work occurs in the vicinity on Highway 101. Although use of the site may increase due to CalTrans work in the area, the plant will be operated, on average, less than 30 days per years. In addition, the plant will typically operate only seasonally during the construction season (June through October).

Recommendation: Move that Humboldt County, as Lead Agency, adopt the Addendum to the Mitigated Negative Declaration and exercising independent judgement finds the project's impacts are adequately addressed and to make all of the required findings for approval of the Coastal Development Permit Modification and Conditional Use Permit Modification based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Mercer Fraser Big Lagoon project subject to the recommended conditions.

Attachments: [CDP 17-001M Staff Report.pdf](#)

**2 Humboldt Community Services District, General Plan Conformance Review and Special Permit
Application Number 14243**

Case Numbers GPC-18-003 and SP-18-100

Assessor's Parcel Numbers 018-281-003, 018-291-005, 019-031-002 and -003

40 Spruce Street, 4255 and 4305 Union Street, Eureka/Pine Hill area

A Special Permit for development within the Streamside Management Area. The HCSD proposes the construction of an approximately 1,600' sewer transmission line which would traverse a wetland and span 4 privately-held parcels identified as APNs 018-281-003, 018-291-005, 019-031-002 and -003. The project will involve installing approximately 1,050 linear feet of 6-inch diameter pipe in a trench and the remaining 550 linear feet will consist of 8-inch diameter fused pipe installed by horizontal drilling under the slough channel. The proposal also includes a 10' wide temporary easement and 2 temporary staging areas (APNs 019-071-003 and 018-271-004) for use during construction. The proposed new line is part of the Martin Slough Interceptor (MSI) project and would run between the existing Sea Avenue lift station easterly to the newly installed Martin Slough Interceptor project "2.0 Line" force main. The proposed project would modify the route the wastewater follows on its way to City of Eureka's wastewater treatment facility and would eliminate 3 major and 3 minor City and 10 minor HCSD lift stations. The proposed project would also reduce the incidences of sewer overflows in the Martin Slough watershed, thereby avoiding reductions in water quality in the aquatic environment. The proposed project also includes a General Plan Conformance (GPC) and zoning review of the proposed acquisition by HCSD of a permanent 20 foot wide easement for construction and maintenance of the line. There is no public hearing requirement for GPC or zoning right of way review, however this information is included in order for the Planning Commission to make a decision on the whole of this project.

Recommendation: Move to approve the project, adopt the Record of Action for the General Plan Conformance, 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 for the Special Permit approving the proposed Humboldt Community Services District project subject to the recommended conditions.

Attachments: [GPC 18-003 Staff Report.pdf](#)

CONTINUED PUBLIC HEARINGS

- 3 Burr Valley Farm LLC Special Permit
Case Number SP16-542
Assessor Parcel Number 210-231-012
Application Number 12479
2520 Burr Valley Road, Dinsmore area

A Special Permit for 10,000 square feet of existing outdoor commercial cannabis cultivation located on the subject parcel which is approximately 40 acres in size. Staff is recommending denial of the project because the applicant has not provided sufficient documentation of cultivation prior to January 1, 2016 per Humboldt County Code 314-55.4.9.4. In addition, the subject parcel does not qualify for new cultivation per Humboldt County Code 314-55.4.8.2.1 because the parcel is zone Forestry Recreation (FR-B-5(40)).

Recommendation: Applicant requests continuance to a date uncertain with re-noticing to be provide to the public.

- 4 Green Sanctuary, LLC. Conditional Use Permit
Application Number 10844
Case Number CUP-16-090
Assessor's Parcel Number (APNs) 216-205-011
Blocksburg area

A Conditional Use Permit (CUP) for 40,030 square feet (sf) of existing outdoor commercial cannabis cultivation located on a 158 acre parcel. Cultivation consists of three existing cultivation areas (CA): One of the cultivation areas is proposed for relocation out of the 50-foot Streamside Management Area (SMA) of two streams to an environmentally superior location that is devoid of trees. All water for irrigation of cannabis is sourced from a 400,000-gallon rainwater catchment pond and nine hard water tanks that store 23,500 gallons. Projected water use is 261,655 gallons per growing season. Cannabis will be harvested by hand and then dried, machine trimmed, and stored on-site. There will be 6 seasonal employees, in addition to the applicant. Power will be supplied by a generator.

Recommendation: Request continuance to a date uncertain with re-noticing to be provide to the public.

5 Canal I, LLC, Conditional Use Permit

Application Number 11153

Case Number CUP-16-163

Assessor's Parcel Number (APN) 210-221-008

Private Road in Dinsmore Area of Larabee Valley off State Highway 36

A Conditional Use Permit for an existing 32,440 square feet (SF) of outdoor and 6,720 SF of mixed light cannabis cultivation located on a 40 acre parcel. Irrigation water is from a well that was installed on October 31, 2017. Processing includes drying, trimming, curing, and packaging and will occur inside a planned 2,400 SF metal processing facility with a maximum of five full time employees during peak activities associated with the mixed light cultivation activities that enable up to five annual harvests. Currently, two 7,000 kW gasoline-fueled generators and two 2,000 kW gasoline-fueled generators are used for cultivation and processing activities. The applicant plans to install an off-grid solar system and onsite wastewater treatment system in October 2018.

Recommendation: Request continuance to a date uncertain with re-noticing to be provide to the public.

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

6 Shore 2 Shore Wireless Special Permit

Application Number 14116

Case Numbers SP-18-068

Assessor's Parcel Number (APN) 504-131-004

1220 Glendale Road, Glendale Area

A Special Permit to allow a height exception from the 35' height limit in the Agriculture General (AG) zone. The proposal is for a 150 foot self-supporting lattice cell tower with twelve (12) panel antennas and twenty-three (23) remote radio heads, a sixty-four (64) square foot by 10 feet tall equipment cabinet and a diesel emergency backup generator all within a 30 ft. X 50 ft. lease area surrounded by an anti-climb chain link fence. To minimize potential visual concerns and insure compatibility with neighboring development, Staff recommends that the tower is re-designed as a stealth mono-pole that is manufactured to look like a conifer tree complete with bark on its trunk with all antennas hidden within the branches.

Recommendation: Move to determine the project exempt from further environmental review pursuant to 15303 of the CEQA Guidelines, and 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 Shore 2 Shore project subject to the recommended conditions.

Attachments: [SP-18-068 Staff Report.pdf](#)

- 7 Humboldt Boutique Gardens, MBC
Application Number 11304
Case Numbers: CUP16-427 and SP18-009
Assessor's Parcel Number (APN): 203-211-016
Drake Hill Road, Fortuna Area

Applicant requests a Conditional Use Permit (CUP) and a Special Permit (SP) to allow Phase 1 of a two-phase project consisting of indoor commercial cannabis cultivation, ancillary processing and a nursery on a 2.7 acre parcel. Application includes a CUP to allow a use within a Qualified (Q) combining zone, Area 1, (Ordinance No 1689 adopted May 28, 1985, and amended by Ordinance No 1784 on December 16, 1986). Phase 1 consists of constructing the first warehouse, establishing and operating cannabis cultivation and processing within it. Specifically, 8,560 square foot (sf) of new indoor cannabis cultivation within a 13,000 sf building that would be 28 feet in height, served by an on-site septic system and well. This building's interior would consist of six 24 foot by 40 foot flowering rooms, a 240 sf propagation room for developing clones, a 240 sf mother room, and a 2,080 sf vegetative room for the tending of plants before they are placed in the flowering rooms. Processing and packaging operations are also proposed. The remaining space in the warehouse would consist of a processing room, a drying room, and a packaging room in addition to general storage, a truck bay, office, and bathroom facilities. All cultivation and associated activities are proposed to occur in a fully enclosed structure. Subsequent Phase 2 (Application Number 11990) is described as follows and will require a separate land use permit approval. Phase 2: construction of a second building, and the operation of indoor cannabis cultivation and processing within it. Specifically, a new indoor 8,000 sf new indoor cannabis cultivation is proposed within a 12,350 sf building that would be 28 feet in height, served by the same on-site septic system and well used for Phase 1. This facility would have similar rooms and uses as described for Phase 1. During operation of the proposed Phase 1 facility, Humboldt Boutique Gardens anticipates having eight full time employees during peak operation, comprised of five full time gardeners, one office manager, and two professional cannabis trimmers. During operation of Phases 1 and 2 there would be approximately 15 employees. Operations would be seven days a week from 7 am to 6 pm.

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 Humboldt Boutique Gardens, MBC project subject to the recommended conditions.

Attachments: [CUP 16-427 Staff Report.pdf](#)

DEPARTMENT REPORT

8 Transporting Cannabis on Federal Roads.

Report on staff's findings relative to projects with primary access across federal property.

Attachments: [Director's Memo Federal Roads.pdf](#)

9 Functional Road Requirements

Presentation by Public Works Land Use Deputy Director Bronkall regarding functional requirements for roads serving commercial cannabis sites.

OLD BUSINESS**10** Commercial Cannabis Application Process

Per the request of the Commission this item is up for further discussion and possible action.

Attachments: [Director's Memo on Cannabis projects dated 8.10.2018.pdf](#)

ADJOURNMENT**NEXT MEETINGS**

October 4, 2018 *Regular Meeting*

October 18, 2018 *Special Meeting*

I, SUZANNE LIPPRE, Planning Commission Clerk, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct original record of the above entitled meeting of the Humboldt County Planning Commission held in Eureka, California.

SUZANNE LIPPRE

Planning Commission Clerk of the County of Humboldt, State of California.