

**PLANNING COMMISSION**

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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, March 7, 2019**

**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.*

**A. CALL TO ORDER / SALUTE TO FLAG**

**B. COMMISSIONERS PRESENT**

**C. AGENDA MODIFICATIONS**

*Supplemental information provided for Items: F-2 and F-5.*

**D. APPROVAL OF ACTION SUMMARY**

1. Approval of the Action Summary - Regular Meeting of February 7, 2019

**Recommendation:** That the Planning Commission approve the Action Summary for the meeting of February 7, 2019 and authorize the Secretary of the Planning Commission and Clerk of the Planning Commission to sign the minute book.

**Attachments:** [Revised Action Summary 2.07.19 for review and approval\\_2.22.19.pdf](#)

2. Approval of the Action Summary - Regular Meeting of February 21, 2019

**Recommendation:** Approve the Action Summary for the meeting of February 21, 2019 and authorize the Secretary of the Planning Commission and the Clerk of the Planning Commission to sign the minute book.

**Attachments:** [PC 2.21.19 Action Summary for review and approval.pdf](#)

## E. 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.*

Formal Complaint from Richard Tobin re: Friends of the Dunes

**Attachments:** [Richard Tobin submittal re Friends of the Dunes 3.7.19 PC.pdf](#)

## F. 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. Solomon Fahey - Conditional Use Permit and Special Permit**

Application Number: 11405

Case Number: CUP 16-244, SP 18-081

Assessor's Parcel Number (APN): 108-066-005

Project Description: A Conditional Use Permit CUP16-244 is requested to allow approximately 12,634 square feet (sf) of existing outdoor commercial cannabis cultivation, 2,160 sf of existing mixed light cultivation, and an 800 square foot appurtenant nursery, and a Special Permit SP18-081 is requested to allow a reduction of the 600 foot setback requirement from public lands.

**Recommendation:** Consider the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, 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 Solomon Fahey Conditional Use Permit and Special Permit subject to the recommended conditions.

**Attachments:** [CUP-16-244 Staff Report.pdf](#)

**2. TA Farms, LLC, Conditional Use Permit and Special Permit**

Application Number: 11626

Case Number CUP16-309

Assessor's Parcel Number: 211-331-042

2339 Elk Creek Road, Myers Flat, CA

Project description: A Conditional Use Permit is requested to allow an existing 9,900 square foot (SF) outdoor and existing 4,200 SF mixed light cannabis cultivation operation and three nursery/propagation areas totaling 1,000 SF, and a Special Permit is requested to allow remediation activities within a Streamside Management Area. Power to the site is provided by Pacific Gas and Electric (PG&E) and there is no generator use.

**Recommendation:** Considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, 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 TA Farms, LLC, Conditional Use Permit and Special Permit subject to the recommended conditions.

**Attachments:** [PLN-11626-CUP Staff Report.pdf](#)  
[PC Supplemental #1 11626.pdf](#)

**3. Sustainable Medicinals, Conditional Use Permit and Special Permit**

Application Number: 11800

Case Number CUP-16-388 and SP-17-179

Assessor's Parcel Numbers (APN): 529-035-022

On the northwest side of Ishi Pishi Road in the Orleans Area

**Project Description:** A Conditional Use Permit is requested to allow 21,000 square feet (SF) of existing outdoor cannabis cultivation and a Special Permit for a wholesale nursery limited to seed production. A Special Permit is also requested to allow a setback reduction from 600 feet to approximately 300 feet from public lands (Six Rivers National Forest), and development within a Streamside Management Area (SMA) for maintenance and use of an existing water diversion and micro-hydropower system as well as for restoration work associated with the removal of previous greenhouses.

**Recommendation:** Find the project except 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 and Special Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Sustainable Medicinals project subject to the recommended conditions.

**Attachments:** [CUP-16-388 Staff Report.pdf](#)

**4. William Reynolds, Conditional Use Permit**

Application Number: 11135

Case Number: CUP16-158

Assessor's Parcel Number (APN): 209-121-008

56 Shively Flat Road, Shively area

**Project Description:** A Conditional Use Permit is requested to allow an existing 43,560 square foot outdoor commercial cannabis cultivation. Cannabis cultivation is dry-farmed and no irrigation water is necessary other than for seed germination. Power is provided by PG&E.

**Recommendation:** Consider the Addendum to the previously adopted Mitigated Negative Declaration for Commercial Medical Land Use Ordinance (CCMLUO) as described by Section 15164 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 William Reynolds Conditional Use Permit as recommended by staff subject to the recommended conditions.

**Attachments:** [CUP-16-158 Staff Report.pdf](#)

**5. The Humboldt County Collective**

Application Number: 13927

Case Number: CUP-17-073

Assessor's Parcel Number (APN): 015-011-005

Eureka area

Project Description: A Conditional Use Permit is requested to allow the continued operation of an existing medical cannabis dispensary and distribution facility located within 551 square feet of an existing office/retail building.

**Recommendation:** Find the project exempt from environmental review pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines, make all findings of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving The Humboldt County Collective Conditional Use Permit subject to the recommended conditions.

**Attachments:** [CUP-17-073 Staff Report.pdf](#)  
[PC Supplemental #1 3.7.19 Item F-5.pdf](#)

**G. CONTINUED CONSENT****1. Sky High Humboldt, LLC**

Application Number: 11921

Case Number: CUP16-450

Assessor's Parcel Number (APN): 223-271-006

692 Sawmill Road, Garberville area

Project Description: A Conditional Use Permit is requested to allow an existing 10,260-square-foot outdoor and 1,730-square-foot mixed light cannabis cultivation. Cannabis drying, and trimming is currently done onsite by hand in the existing garage. Power to the site is provided by Pacific Gas and Electric (PG&E).

**Recommendation:** Considered the Addendum to the previously adopted Mitigated Negative Declaration for Commercial Medical Land Use Ordinance (CCMLUO) as described by Section 15164 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 Sky High Humboldt, LLC, Conditional Use Permit subject to the recommended conditions.

**Attachments:** [CUP-16-450 Staff Report\\_2\\_PC 3.7.19.pdf](#)

**ADJOURNMENT****NEXT MEETINGS**

March 21, 2019

