

PLANNING COMMISSION

Alan Bongio
First District - Vice-Chair
Robert Morris
Second District - Chair
Noah Levy
Third District
Mike L Newman
Fourth District
Peggy O'Neill
Fifth District
Brian Mitchell
At-Large
Melanie McCavour
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 21, 2019

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.

A. CALL TO ORDER / SALUTE TO FLAG

B. COMMISSIONERS PRESENT

C. AGENDA MODIFICATIONS

*Item #F-2: Continuance request to a date uncertain
Item #F-3: Supplemental Information #1 provided
Item #F-3: Pictures submitted at meeting
Item #F-3: Comment letter submitted by EB Duggan
Item #F-4: Continuance request to April 4, 2019 meeting of the Planning Commission
Item #G-1: Supplemental Information #1 provided
Item #G-1: Email comment from John Friedenbach of HBMWD
Item #H-1: Friends of the Dunes comment letter from Richard Tobin
Item #H-1: Friends of the Dunes Memo from the Director*

D. APPROVAL OF ACTION SUMMARY

1. Approval of the March 7, 2019 meeting of the Planning Commission

Recommendation: Move to approve the March 7, 2019 Action Summary and authorize the Secretary of the Planning Commission and the clerk of the Planning Commission to sign the Minute book.

Attachments: [PC Action Summary 3.07.19 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.

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. BizyBee Farms, LLC, Conditional Use Permit and Special Permit

Record Number: PLN-11170-CUP

Assessor's Parcel Number (APN): 222-051-008

7470 Sprowl Creek Road, Garberville area

Project Description: Conditional Use Permit for an existing 11,749 square feet of mixed light cultivation. Irrigation water is provided by two spring diversions of an unnamed tributary to Cox Creek. A Special Permit is also requested for two points of diversion within a Streamside Management Area that commenced after April 25, 1995, and restoration of a 2,440-square-foot outdoor cultivation area located in the northeastern portion of the subject parcel.

Recommendation: Consider the Addendum to and 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 BizyBee Farms, LLC, project subject to the recommended conditions.

Attachments: [PLN-11170-CUP Staff Report.pdf](#)

2. Winterbourne Farms, Conditional Use Permit

Record Number: PLN-11814-CUP

Assessor's Parcel Number (APN): 107-103-008

South side of Lindley Road, approximately 1.2 miles from the intersection of Lindley Road and Mattole Road, Honeydew area

Project description: A Conditional Use Permit for an existing 20,000 square foot outdoor commercial cannabis cultivation operation, along with an additional existing 5,000 square foot outdoor vegetative area that functions as a non-commercial nursery to support the cultivation operation.

Recommendation: Continue this project to a date uncertain.

Attachments: [PLN-11814-CUP Continuance request.pdf](#)

3. IXXCO, Inc. Conditional Use Permit

Application Number: PLN-201-15131 (CUP)

Assessor's Parcel Numbers (APN): 522-221-008

39057 State Highway 299, Willow Creek

Project Description: IXXCO, Inc. requests a Conditional Use Permit for commercial cannabis Nonflammable (Non-Volatile) Manufacturing and Distribution activities in an existing 4,792 square foot structure in accordance with Section 314-55.4 of Chapter 4 of Division 1 of Title III of the Commercial Cannabis Land Use Ordinance (CCLUO). The CCLUO section 55.4.5.1.4 (a) requires a Conditional Use Permit for any Commercial Cannabis Activity within the Willow Creek Community Planning Area.

Attachments: [PLN-2019-15131 Staff Report.pdf](#)
[Item #F-3 IXXCO Comments from EB Duggan.pdf](#)
[Item #F-3 IXXCO pictures submitted at PC mtg 3.21.19.pdf](#)
[Item #F-3 PC Supplemental #1 IXXCO 15131.pdf](#)

4. Soul Arc Solutions, Inc., Conditional Use Permit and Special Permit

Record Number: PLN-11598-CUP

Assessor's Parcel Number (APN): 108-012-009

1895 French Ranch Road, Ettersburg area

A Conditional Use Permit for an existing 12,600 square feet (sf) of mixed light cannabis cultivation. Cultivation activities extend from February to November with a maximum of three cultivation cycles occurring using a combination of artificial light and light deprivation techniques. The applicant estimates 290,000 gallons of water is required to meet operational needs. A Special Permit is also requested for a spring diversion located within a Streamside Management Area.

Recommendation: Continue this project with the understanding that this project is being re-noticed for the April 4, 2019 PC Agenda.

Attachments: [PLN-11598-CUP Continuance request.pdf](#)

5. Casey Jones Parcel Map Subdivision Extension

Application Number: PLN-2019-15313

Assessor's Parcel Number (APN): 511-091-026

1231 and 1237 Pedroni Road, McKinleyville

Project Description: A two-year extension of a Parcel Map Subdivision (PMS-16-002) originally approved January 5, 2017. The project consisted of a Parcel Map subdivision to divide an approximately 25,575 square foot parcel into two parcels of approximately 12,210 square feet and 13,365 square feet. The parcel is developed with two single family residences which will each be sited on their own parcel. The parcel is served with community water and sewer by the McKinleyville Community Services District. No change to the original project is proposed. This is the first extension requested and if approved, the extension will expire on January 18, 2021.

Recommendation: Make all of the required findings based on evidence in the staff report, and approve the application subject to the recommended conditions of approval.

Attachments: [PLN-2019-15313 Staff Report.pdf](#)

6. Day Final Map Subdivision and Coastal Development Permit Extension

Case Number: PLN-2018-15010

Assessor's Parcel Number (APN): 508-081-061

1092 Griffith Road, McKinleyville area

Project Description: A second two-year extension of a Major Subdivision and a Coastal Development Permit (FMS-07-004, CDP-07-016) originally approved on September 4, 2008. The project was extended once by the applicant and automatically extended by several Assembly Bills. The project consists of the subdivision of an approximately 1.5 acre parcel into 8 parcels ranging between 5,280 and 7,500 square feet. Phase 1 will consist of Lots 1-6 and Phase 2 will consist of Lots 7 and 8. A mobile home and garage will ultimately be removed as part of Phase 2. The parcels are and will be served by the McKinleyville Community Services District. No change to the original project is proposed. This is the second extension requested and if approved, the extension will expire on October 2, 2020.

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

Attachments: [PLN-2018-15010 Staff Report.pdf](#)

7. Waits Parcel Map Subdivision

Application Number: 14014

Case Number: PMS 18-003

Assessor's Parcel Number (APN): 511-122-013

McKinleyville area

Project Description: A Minor Subdivision of an approximately 5.65 acre parcel into four parcels ranging in size between 1.0 acre and 2.3 acres. The parcel is currently vacant. Pursuant to Humboldt County Code Section 325-9, the applicant has requested an exception to the right of way width to allow proposed Parcels 2, 3 and 4 to be served by a 20 foot right of way. The parcels are served with community water by the McKinleyville Community Services District. The parcels will be served by individual onsite wastewater treatment systems.

Recommendation: Adopt the Mitigated Negative Declaration and make all the required findings for approval of the Parcel Map Subdivision, including the exception request to allow a reduced right-of-way, based on evidence in the staff report and public testimony, and adopt the Resolution approving the Waits project subject to the recommended conditions.

Attachments: [Item F-7 PMS-18-003 Staff Report.pdf](#)

8. Humboldt Sanitation Parcel Map Subdivision Extension

Application Number 10503

Case Numbers PMS-05-08X

Assessor Parcel Numbers 510-061-007, 510-071-003, 510-071-004

2525 Central Avenue, McKinleyville

A four year extension following four automatic extensions (7 years total) pursuant to AB 116, AB 208, AB 333 and SB 1185. The Parcel Map Subdivision consists of the merger of APNs: 510-061-07, 510-071-003 and 510-071-004 and subsequent subdivision into 4 parcels of approximately 53,120 square feet, 36,805 square feet, 52,275 square feet and 346,010 square feet. No change to the original project is proposed. This is the first extension requested by the applicant and if approved, the extension will expire on May 15, 2020.

Recommendation: Move to make all the required findings, based on evidence in the staff report, and approve the application subject to the recommended conditions of approval.

Attachments: [PMS-05-008X Staff Report PC 3.21.19.pdf](#)

9. Gordon Parcel Map Subdivision and Special Permit

Application Number: 13411

Case Number: PMS 17-009

Assessor's Parcel Number (APN): 403-043-011

5201 Cummings Road, Eureka area

Project Description: A Minor Subdivision to divide an approximately 20 acre parcel into two parcels of approximately 6 acres and 14 acres in size. The parcel is developed with a single family residence which will remain on proposed Parcel 1. Proposed Parcel 2 will be vacant and suitable for residential development. A Special Permit is required for minor road improvements within the Streamside Management Area (SMA). The parcels will be served by community water provided by Humboldt Community Services District and on-site wastewater treatment systems. An exception is requested to allow the parcels to be served by a road that exceeds the dead end road length which has been approved by Calfire.

Recommendation: Adopt the Mitigated Negative Declaration, make all required findings for approval of the Parcel Map Subdivision based on evidence in the staff report and public testimony, and adopt the Resolution approving the Gordon project subject to the recommended conditions.

Attachments: [PMS-17-009 Staff Report.pdf](#)

G. 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

1. GPU Zoning Maps

Project Description: New Zoning Districts are proposed to be added to the Inland Zoning Ordinance and existing zoning text is proposed to be amended to be consistent with the 2017 Humboldt County General Plan. The Humboldt County General Plan was adopted in October, 2017 which established the kinds, locations, and intensities of land uses within the unincorporated areas of the County by applying land use designations to properties. To be consistent with the new Land Use Maps and General Plan policies and standards, new Zoning Districts are proposed to be added to the Inland Zoning Ordinance (Section 314 of Title III, Division 1, Chapter 4 of Humboldt County Code) including the following:

1. Mixed Use Zones that apply to areas with MU - Mixed Use, VC - Village Center, or RCC - Rural Community Center General Plan designations,
2. TE - Timberland Exclusive zone applied to areas with a "T - Timberland" General Plan Land Use designation that are not zoned "TPZ" or AE-B-5-(160) and part of an agricultural preserve,
3. "PR - Public Resource and Recreation" Zone applied to publicly owned lands with a "Public Lands" General Plan Land Use designation,
4. "TL - Tribal Land" Zone applied to areas with a "TL - Tribal Lands" General Plan Land Use designation and that are not zoned "TPZ" and to lands with a "TTL - Tribal Trust Lands" General Plan Land Use designation,
5. "RR - Railroad" Combining Zone applied to railroad rights of way held by the North Coast Railroad Authority, and those along the former Annie and Mary Railroad rail corridor between Arcata and Blue Lake,
6. "MR - Mineral Resources" Combining Zone applied to parcels with permitted surface mining operations, and
7. "PRD - Planned Rural Development" Combining Zone to provide voluntary clustering of home sites on resource lands.

In addition, existing zoning text is proposed to be amended to be consistent with the Plan. These changes include

- (a) Section 314-7.1 "AE - Agriculture Exclusive Zone", to increase the minimum parcel size to 60 acres, allow the uses specified in the AE - Agricultural Exclusive General Plan designation, allow subdivisions to increase agricultural productivity, and to limit conversion of prime agricultural soils;
- (b) Section 314-7.4 "TPZ - Timberland Production Zone" to allow the uses specified in the T - Timber Production General Plan designation,
- (c) Section 314-21.1 "F - Flood Hazard Areas" to require a Special Permit for residential development on substandard-sized parcels in a flood hazard zone,
- (d) Section 314-61.1 Streamside Management Areas and Wetlands to align with the standards of the Open Space Element, and
- (e) Section 312, Administration, Procedures, Amendments and Enforcement to incorporate findings of consistency with the General Plan Open Space Plan.

Recommendation: The proposed new Zone Districts would apply throughout the non-coastal areas of unincorporated Humboldt County. The Planning and Building Department is recommending the Planning Commission approve the proposed changes to the Zoning

Ordinance and the Addendum to the Environmental Impact Report (EIR) for the General Plan prepared for this project.

Attachments: [Item #G-1 GP Zone Text Amendments.pdf](#)
[Item #G-1 GPU Comments fro John Friedbach of HBMWD for PC 3.21.19.pdf](#)
[Item #G-1 PC Supplemental GPU 3.21.19.pdf](#)

H. NEW BUSINESS

1. Departmental report: Housing element discussion
Departmental report: Friends of the Dunes update
July Planning Commission Meetings

Attachments: [Item #H-1 Friends of the Dunes comment letter from Richard Tobin.pdf](#)
[Item #H-1 Friends of the Dunes Director's Memo to PC 03.21.2019 PC.pdf](#)

ADJOURNMENT

NEXT MEETINGS

April 4, 2019

April 18, 2019