

PLANNING COMMISSION

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JOHN H. FORD
Director, Planning and Building

**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

825 Fifth Street
Board of Supervisors Chambers
Eureka, California

AGENDA

Thursday, June 20, 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

D. APPROVAL OF ACTION SUMMARY

Review and approve the May 16, 2019 Planning Commission Action Summary.

Recommendation: Move to approve the May 16, 2019 Planning Commission Action Summary and direct the Secretary of the Planning Commission and the Clerk of the Planning Commission to sign the Minute Book.

Attachments: [Review and approval of PC Action Summary 5.16.19.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. Joe Royse, Conditional Use Permit and Special Permit
Application Number 11864
Case Number CUP-16-418, PLN-11864-SP
Assessor's Parcel Number (APN) 208-231-012
1235 Bronco Road, Mad River (Dinsmore), CA

Project Description: Conditional Use Permit (CUP) for an existing 17,776 square foot (SF) outdoor cannabis cultivation operation on a 40-acre parcel, and a Special Permit (SP) for a reduction to the setback requirement from federal lands.

Recommendation: Consider the Addendum to the adopted Mitigated Negative Declaration for the 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 and Special based on evidence in the staff report, and adopt the Resolution approving the proposed Joe Royse project subject to the recommended conditions.

Attachments: [CUP-16-418 Staff Report.pdf](#)
[PC Supplemental #1 CUP-16-418 11864.pdf](#)

2. James Hudson Conditional Use Permit

Application Number 11611

Case Number CUP16-304

Assessor's Parcel Number (APN) 210-163-013

Swayback Road, Dinsmore area

Project Description: A Conditional Use Permit for 18,276 square feet (SF) of existing outdoor cannabis cultivation. Water for irrigation is sourced from an existing rainwater catchment pond with a capacity of 400,000 gallons.

Recommendation: Consider the Addendum to 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 based on evidence in the staff report and adopt the Resolution approving the proposed James Hudson Conditional Use Permit subject to the recommended conditions.

Attachments: [CUP-16-304 Staff Report.pdf](#)

3. Frank Zabel Parcel Map Subdivision and Special Permit Extension

Case Number PLN-2019-15533

Assessor Parcel Number (APN) 522-181-001

Patterson Road, Willow Creek area

Project Description: A two-year extension to a previously approved subdivision. The original project included a Minor Subdivision of an approximately five-acre parcel into four parcels between 0.5 acres and 3.34 acres in size. All building sites are clustered north of Patterson Drive. A Special Permit is required to allow parcels less than one acre in size and less than 125 feet wide. All parcels will be served with water provided by the Willow Creek Community Services District and on-site wastewater treatment systems. No change to the original project is proposed. This is the first extension requested and if approved, the extension will expire on April 18, 2021.

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-2019-15533 Staff Report.pdf](#)

4. New Earth Farms LLC, Conditional Use Permit and Special Permit

Application Number 11901

Case Number CUP-16-440, SP-18-004, SP-15-004

Assessor's Parcel Number (APNs) 524-016-002

West Side of State Highway 96, 3.26 miles North on USFS 6N13 from intersection of Friday Ridge Road, Willow Creek Area

Project Description: A Conditional Use Permit for 20,000 square feet (SF) of existing outdoor cannabis cultivation and 1,920 SF of appurtenant nursery facilities. The application includes Special Permits for reduced setbacks from Six Rivers National Forest (SP18-004), retroactively permitting an existing on-stream pond (SP15-014), and for work within the Streamside Management Area (no additional case number). The applicant is proposing on-site relocation of certain cultivation areas to an environmentally superior location on the parcel.

Recommendation: Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the 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 and Special Permit based on evidence in the staff report and adopt the Resolution approving the proposed New Earth Farms LLC project subject to the recommended conditions.

Attachments: [CUP-16-440 Staff Report PC 6.20.19.pdf](#)
[PC Supplemental 6.20.19 11901.pdf](#)

5. Grinn, LLC, Conditional Use Permit and Special Permit

Record Number PLN-11371-CUP

Assessor's Parcel Number (APN) 033-110-011

1370 Fish Canyon Road, Benbow area

Project Description: A Conditional Use Permit (CUP) for an existing 10,750 square foot (SF) outdoor and 5,600 SF of mixed light commercial cannabis cultivation operation and a Special Permit (SP) for the continued use and maintenance of two points of diversion (POD) on the property.

Recommendation: Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CMMLUO) as described by 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 adopt the Resolution approving Grinn, LLC, Conditional Use Permit and Special Permit as recommended by staff subject to the recommended conditions.

Attachments: [PLN-11371-CUP Staff Report.pdf](#)

6. Humboldt Boutique Gardens

Record Number: PLN-11990-CUP

Assessor's Parcel Number (APN): 203-211-016

Drake Hill Road, Fortuna Area

Project Description: A Conditional Use Permit (CUP) for Phase II of a two-phase project involving the development of indoor cannabis cultivation, nursery, manufacturing and processing facilities on a 2.7-acre parcel. A Conditional Use Permit (CUP) pursuant to the provisions of the Qualified (Q) combining zone adopted as Ordinance No 1689 on May 28, 1985, and as amended by Ordinance No 1784 on December 16, 1986.

Recommendation: Find the project consistent with a previously adopted Mitigated Negative Declaration, and make all of the required findings for approval of the Conditional Use Permits based on evidence in the staff report and adopt the Resolution approving the proposed Humboldt Boutique Gardens project subject to the recommended conditions.

Attachments: [PLN-11990-CUP Staff Report.pdf](#)
[PLN-11990-CUP Humboldt Boutique Garden Continuance request.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. Tony Ellena Parcel Map Subdivision

Application Number 13995

Case Number PMS-18-002

Assessor Parcel Number 510-291-087

Hiller Road, McKinleyville area

Project Description: A Minor Subdivision of an approximately 21,842 square foot parcel into three parcels ranging in size from 5,005 square feet to 6,233 square feet. The application includes exception requests for a reduced right of way width for the interior access road, and to eliminate the sidewalk requirement. The parcel is currently vacant and served with community water and sewer provided by the McKinleyville Community Services District.

Recommendation: Adopt the Mitigated Negative Declaration and make 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 adopt the Resolution approving the Ellena project subject to the recommended conditions.

Attachments: [PMS-18-002 Staff Report.pdf](#)
[PMS-18-002 Ellena Continuance request.pdf](#)

2. Willem Bouterse Parcel Map Subdivision

Application Number 11542

Case Numbers PMS-16-012

Assessor Parcel Number 510-193-029

1130 West Bates Road, McKinleyville

Project Description: A Minor Subdivision to divide an approximately 19,847 square foot parcel into two parcels of 11,269 square feet and 8,578 square feet. The parcel is currently developed with a single-family residence and detached secondary dwelling unit that will remain on proposed Parcel 1. Proposed Parcel 2 will be created as a flag lot. The application also includes an exception requests for a reduced right of way width for West Bates Road, and to eliminate the sidewalk requirement. The parcels will be served with community water and sewer by the McKinleyville Community Services District.

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

Attachments: [PMS-16-012 Staff Report.pdf](#)

H. ADJOURNMENT*July 11, 2019*