

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, July 11, 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 G-1: Continuance to the July 25, 2019 meeting of the Planning Commission.

D. APPROVAL OF ACTION SUMMARY

1. Review and approve the June 6, 2019 Planning Commission Action Summary.

Recommendation: Move to approve the June 6, 2019 Planning Commission Action Summary and direct the Secretary of the Planning Commission and the Clerk of the Planning Commission to sign the Minute Sheet.

Attachments: [PC 06.06.19 Action Summary](#)

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. Humboldt Boutique Gardens

Record Number: PLN-11990-CUP

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

3150 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: [Staff Report Part 1.pdf](#)

[Staff Report Part 2.pdf](#)

2. Deep Green Farm, LLC, Conditional Use Permit

Record Number: PLN-11568-CUP

Assessor's Parcel Number (APN): 107-272-010

5270 Wilder Ridge Road, Honeydew Area

A Conditional Use Permit (CUP) for an existing 16,140 square foot (SF) mixed-light cultivation operation. Processing activities including drying, curing, grading and trimming occur on-site in an existing 800 square foot building. Power is provided by PG&E, with generators onsite for back-up.

Recommendation: Find that the Commission has 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 based on evidence in the staff report and adopt the Resolution approving the proposed Deep Green Farm, LLC, project subject to the recommended conditions.

Attachments: [Staff Report.pdf](#)

3. Forest Gardens LLC, Conditional Use Permit and Special Permit

Record Number: PLN-12019-CUP

Assessor's Parcel Number: 221-071-014

7988 Salmon Creek Road, Miranda area

A Conditional Use Permit authorizing an existing cannabis cultivation operation consisting of 11,000 square feet of outdoor cannabis cultivation in existing hoop houses and authorizing existing storage and processing structures used ancillary to the cannabis cultivation. The project also includes a Special Permit for removal and relocation of seven water tanks that are within the Streamside Management Area of a Class II watercourse and for restoration work of a decommissioned cultivation area within the same watercourse.

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 Forest Gardens, LLC, Conditional Use Permit and Special Permit as recommended by staff subject to the recommended conditions.

Attachments: [Staff Report.pdf](#)

G. CONTINUED PUBLIC HEARINGS

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 to divide it into three parcels ranging in size from 5,005 square feet to 6,233 square feet. Pursuant to Section 325-9 of the Humboldt County Code, exception requests have been submitted 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: Continuance to the July 25th meeting of the Planning Commission.

Attachments: [Item G-1 - PC Supplemental 2 - Ellena 7.11.19.pdf](#)

2. Housing Element

The 2019 Housing Element is an update to the 2014 Humboldt County Housing Element, and a required element of the General Plan. The Housing Element consists of a narrative which describes the purpose of the Housing Element, the requirements of state law, the relationship of the Housing Element to the rest of the General Plan, background information regarding past elements, current and projects housing needs and conditions. The core of the Housing Element is a series of goals, policies, standards, and implementation measures for the preservation, improvement, and development of housing. It meets details requirements of state housing element law, including requirements for a residential land inventory sufficient to meet the County's share of the state prescribed housing need. The update is necessary to comply with state housing element law and to adopt local policy options to meet the documented housing needs. The 2019 Housing Element Update would apply throughout the unincorporated areas of Humboldt County. For unincorporated lands inside the Coastal Zone, the 2019 Housing Element will not be effective until the California Coastal Commission certifies it as an amendment to the County's Local Coastal Program.

Recommendation: Move to recommend the Board of Supervisors consider the Addendum to the Environmental Impact Report (EIR) for the 2017 Humboldt County General Plan (SCH #2007012089) and adopt the 2019 Housing Element.

Attachments: [Staff Report.pdf](#)
[Attachment 2 : Addendum to the EIR for 2017 GPU](#)
[Attachment 3: Draft 2019 Housing Element Amendments \(Chapter 8\)](#)
[Attachment 4: Draft 2019 Housing Element Appendix \(Appendix G\)](#)
[Attachment 5: Responses to Legal Services](#)
[Attachment 6: Written Public Comments Received](#)
[Item G-2 Supplemental No. 1 Housing Element PC 7.11.19 FINAL.pdf](#)
[Item G-2 Supplemental No. 2 for 7.11.19 PC FINAL.pdf](#)
[Item G-2 Supplemental No. 3 for 7.11.19 PC FINAL.pdf](#)
[Item G-2 Supplemental No. 4 for 7.11.19 PC FINAL .pdf](#)
[Item G-2 Supplemental No. 5 for 7.11.19 PC FINAL.pdf](#)
[Item G-2 Supplemental No. 6 for PC 7.11.19.pdf](#)

H. 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. Pacific Cannabis Growers Inc.

Record Numbers: 11428, 13884

Assessor's Parcel Number (APN): 202-171-017

109 Pampas Lane, Fortuna Area

Project Description: Determination of whether two Zoning Clearance Certificates should be considered expired due to violations of Humboldt County Code Section 314-55.4.3.8 and section 55.4.11.(v) and (w) of ordinance 2599. Application 11428 is a Zoning Clearance Certificate for 10,000 square feet of new mixed light cannabis cultivation. Application 13884 is an RRR Zoning Clearance Certificate for 19,820 of new mixed light cannabis cultivation.

Recommendation: Determine the repeated violations of the performance standards for mixed light cultivation per HCC 314-55.4.11(v) merits expiration under HCC 312-2.5 and adopt the Resolutions expiring the Zoning Clearance Certificates for Pacific Cannabis Growers Inc. and California Cannabis Growers Network Inc.

Attachments:[Staff Report.pdf](#)[Item H-1 Supplemental Information #1 11428-13884 Pacific Cannabis Growers.pdf](#)[Item H-1 Supplemental Information #2 11428-13884 Pacific Cannabis Growers.pdf](#)[Item H-1 John Guggenbickler submittal at PC 7.11.19.pdf](#)[Item H-1 Letter submitted by Josh Zulliger at PC 7.11.19.pdf](#)[Item H-1 Pam Schlesiger submittal at PC 7.11.19.pdf](#)[Item H-1 Saul and Susie Lewis submittal at PC 7.11.19.pdf](#)[Item H-1 Steve Kioukis submittal at PC 7.11.19.pdf](#)**I. ADJOURNMENT****NEXT MEETING***July 25, 2019*