

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, September 19, 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. 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.

E. 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. Yoel Bilsky, Conditional Use Permit

APPS Number: 11616

Case Numbers: CUP 16-306, 17-045, 17-046, 17-047, 17-048

Assessor Parcel Numbers 315-221-018, 315-222-004, and 315-146-017

23416 and 23550 Maple Creek Road, Maple Creek area

Project Description: Conditional Use Permits for 3.88 acres of new mixed light commercial cannabis cultivation recommended for denial.

Staff Recommendation: Find that the projects are exempt from environmental review pursuant to Section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines, find that the project site is in violation of Humboldt County Code and that the applicant has not provided the County the information necessary to make the required findings for approval and adopt the Resolution denying the proposed project.

Attachments: [PLN-11616-CUP Staff Report.pdf](#)

2. Fox Creek Gardens, Cannatopia Conditional Use Permits

Record Numbers: PLN-12209-CUP, PLN-11854-CUP, PLN-11857-CUP

Assessor's Parcel Numbers (APN): 206-151-067, 216-205-006, 216-202-014

Carlotta and Alderpoint area

Project Description: Three Conditional Use Permits for commercial cannabis cultivation recommended for denial.

Staff Recommendation: Find that the projects are exempt from environmental review pursuant to Section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines, find that the project sites have violations initiated after submittal of the application, and that the applicants have not provided the County the information necessary to make the required findings for approval, and adopt the Resolutions denying the proposed projects.

Attachments: [Combined 12209 11854 11857 Staff Report FINAL.pdf](#)

3. Rolling Fog, LLC Conditional Use Permit

Record Number: PLN-12871-CUP

Assessor's Parcel Number (APN): 211-386-011

1400 Somerville Road, Myers Flat area

Project Description: A Conditional Use Permit for an existing 13,300 square foot (SF) commercial cannabis cultivation operation consisting of 7,540 SF of outdoor cultivation and 5,760 SF of mixed light cultivation.

Staff 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 the required findings for approval of the Conditional Use Permit based on evidence in the staff report and adopt the Resolution approving the Rolling Fog, LLC Conditional Use Permit as recommended by staff subject to the recommended conditions

Attachments: [PLN-12871-CUP Staff Report.pdf](#)

4. Full Sun Farms, LLC, Conditional Use Permit and Special Permit

APPS Number: 12520

Case Number: CUP16-716

Assessor's Parcel Number (APN): 222-071-014

2009 Oak Rock Road, Garberville area

Project Description: A Conditional Use Permit for an existing 22,000 square feet of outdoor cultivation. Cultivation areas will be reorganized to ensure site stability with sufficient buffers to surface water. Two western cultivation areas will be entirely decommissioned due to proximity to stream channels and relocated to the eastern cultivation area that was previously disturbed. Cultivation areas consist of 12,040 square feet of full sun outdoor and 9,960 square feet of outdoor cultivation in greenhouses. A Special permit is requested for a stream diversion and SMA restoration.

Staff 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 and Special Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Full Sun Farms, LLC, project subject to the recommended conditions.

Attachments: [PLN-12520-CUP Staff Report.pdf](#)

5. Tihomir Karparov, Conditional Use Permit

APPS Number: 11294

Case Number: CUP-16-219

Assessor Parcel Number 108-015-010

Ettersburg area

Project Description: A Conditional Use Permit for 22,000 square feet of existing outdoor commercial cannabis cultivation recommended for denial.

Staff Recommendation: Find that the projects are exempt from environmental review pursuant to Section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines, find that the project site is in violation of Humboldt County Code and that the applicant has not provided the County the information necessary to make the required findings for approval and adopt the Resolution denying the proposed project.

Attachments: [PLN-11294-CUP Staff Report.pdf](#)
 [PC Supplemental #1 11294 Karparov.pdf](#)

6. Ozanian Parcel Map Subdivision and Special Permit

Case Number PMS-18-008

Application Number 14126

Assessor Parcel Numbers (APNs) 100-311-019, 101-131-013

1355 Centerville Road, Ferndale area

Project Description: A Minor Subdivision of an approximately 46.5-acre parcel into three parcels of 6.7 acres, 18.2 acres and 21.6 acres. The parcel is currently vacant. A Special Permit is required for minor road improvements within the Streamside Management Area (SMA) of an unnamed watercourse. Water will be provided by a spring diversion and onsite wastewater treatment systems are proposed.

Staff Recommendation: Continue to a date uncertain, re-noticing of the project will be provided to the public.

F. 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. Cannabis Ordinances #1 - Personal Use and Dispensaries in the Coastal Zone

Project Description: The project is proposed amendments to the County's existing Outdoor Cannabis Cultivation for Personal Use Ordinance (313-55.2 of Title III, Division I, Chapter 3), and Cannabis Dispensaries Ordinance (313-55.3 of Title III, Division I, Chapter 3) to incorporate the Coastal Commission's suggested modifications.

Staff Recommendation: Make all required findings, based on evidence in the staff report and public testimony, and recommend the Board of Supervisors find the proposed amendments are exempt from environmental review and accept the Coastal Commission modifications to the Cannabis Ordinance Amendments in the coastal zone by adopting the Resolution.

Attachments: [1. Cannabis Ordinances #1 – Personal Use and Dispensaries in the Coastal Zone Staff Report](#)

2. Cannabis Ordinances #2 - Commercial Cannabis Land Use Ordinance

Project Description: The project is proposed amendments to the County's existing Commercial Cannabis Land Use Ordinance (Section 313-55.4 and 314-55.4 of Division 1 of Title III) to require compliance with any and all requirements imposed by the California Cannabis Authority (CCA) on commercial cannabis operators or operations.

Staff Recommendation: Make all required findings, based on evidence in the staff report and public testimony, and recommend the Board of Supervisors find the proposed amendments are exempt from environmental review and approve the modifications to the Commercial Cannabis Land Use Ordinance by adopting the Resolution.

Attachments: [2. Cannabis Ordinances #2 – Commercial Cannabis Land Use Ordinance Staff Report PC Supplemental #1.pdf](#)

3. Amendment to the Humboldt County Zoning Maps to be consistent with the 2017 Humboldt County General Plan

Project Description: Humboldt County Zoning Maps are proposed to be amended to be consistent with the 2017 Humboldt County General Plan. The following Zoning Districts are proposed to be applied: 1) Mixed Use Zones will be applied to areas with MU - Mixed Use, VC - Village Center, or RCC - Rural Community Center General Plan designations, 2) an “RR - Railroad” Combining Zone will be 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, 3) a “MR - Mineral Resources” Combining Zone will be applied to parcels with permitted surface mining operations; 4) a “TL - Tribal Land” Zone will be applied to the areas with a “TTL - Tribal Trust Lands” or a “TL - Tribal Lands” Land Use designation that are not zoned “TPZ”; and 5) a “WR - Streamside Management Areas and Wetlands” Combining Zone will be applied to properties designated by the General Plan as Streamside Management Areas and/or Wetlands. In addition, specific zones are proposed to be assigned to all areas currently zoned “U - Unclassified”. Other minor changes to the Zoning Maps are also proposed to be consistent with the General Plan. The rezoned properties occur throughout the non-coastal areas of unincorporated Humboldt County.

Staff Recommendation: Receive a staff report and public testimony and deliberate on the proposed zoning map amendments in a public workshop format, provide direction to staff on suggested modifications to the zoning maps, and continue the item to the meeting of October 3, 2019 to make recommendations to the Board of Supervisors.

Attachments: [Zoning Re-Classifications to Implement the 2017 GPU](#)
 [FW_Public Comment for The Planning Commissioners' 9_19 Zoning Reclassifications](#)

G. ADJOURNMENT

NEXT MEETINGS

October 3, 2019 6:00 pm Regular Meeting