

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, October 17, 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. Headwater Organics LLC

Application Number 15753

Record Number PLN-2019-15753

Assessor's Parcel Number 404-023-018

3527 Greenwood Heights Dr, Kneeland area

Project Description: Headwater Organics, LLC requests a Modification to an approved Special Permit for Microbusiness (PLN-2018-15092) consisting of 1,800 square feet of mixed light cannabis cultivation, non-volatile manufacturing, and distribution on a 5-acre parcel. The Modification is to change the location of the processing, manufacturing, and distribution activity to a proposed new 880 square-foot commercial building instead of an existing garage.

Recommendation: Find that the Planning Commission has considered the Addendum to the Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Modification for the approved Special Permit based on evidence in the staff report, and adopt the Resolution approving the proposed Headwater Organics, LLC Modification for the approved Special Permit subject to the recommended conditions.

Attachments: [PLN-2019-15753 Staff Report](#)

2. Rolling Fog, LLC Special Permit

Record Number: PLN-12876-SP

Assessor's Parcel Number: 095-181-008

180 Madrone Drive, Weott area

Project Description: A Special Permit (SP) for 7,575 square feet of existing cannabis cultivation, of which 4,215 square feet (sf) is outdoor and 3,360 sf is mixed-light. Two (2) existing cultivation areas are proposed to be decommissioned and relocated on-site to an environmentally superior area.

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 Special Permit based on evidence in the staff report, and adopt the Resolution approving the proposed Rolling Fog, LLC Special Permit subject to the recommended conditions.

Attachments: [PLN-12876-SP Staff Report](#)

3. Domeside Gardens, LLC

Record Number: PLN-11414-SP

Assessor's Parcel Number: 221-061-016

3780 Thomas Road, Myers Flat area

A Special Permit for an existing 9,700-square-foot commercial cannabis operation, consisting of 8,100 square feet (sf) of outdoor cultivation and 1,600 sf of mixed light cultivation. The applicant is proposing to re-organize outdoor and mixed light cultivation in the pre-existing cultivation footprint. The proposed project also includes a Special Permit to reduce the 600-foot setback from adjacent public lands owned by the Bureau of Land Management.

Recommendation: Find that the Planning 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 Special Permit based on evidence in the staff report and adopt the Resolution approving the proposed Domeside Gardens, LLC, project subject to the recommended conditions.

Attachments: [PLN-11414-SP Staff Report](#)

4. Skyline Farms, LLC Special Permit & Lot Line Adjustment

Record No.: PLN-11812-SP & PLN-2018-15087

Assessor's Parcel Number 220-312-011 & 220-312-007

209 Seely Creek Road, Redway area

Project Description: A Special Permit for an existing 10,000 square foot (sf) cannabis cultivation operation with a 1,000-sf ancillary nursery, a special permit for agricultural diversion within the Streamside Management Area, and a Lot Line Adjustment (LLA) between two parcels resulting in two parcels of 58 acres and 85 acres respectively. The purpose of the LLA is to place a pre-existing cultivation site on the parcel associated with its operation and to meet all applicable setbacks.

Recommendation: Find that the Planning 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 Special Permits & Lot Line Adjustment based on evidence in the staff report and adopt the Resolution approving the Skyline Farms, LLC Special Permits & Lot Line Adjustments as recommended by staff subject to the recommended conditions.

Attachments: [PLN-11812-SP Staff Report](#)

5. Sawtooth Ridge LLC, Special Permits

Record Number PLN-11378-SP

Case Number SP16-216

Assessor's Parcel Number (APN) 529-282-012 & 529-282-013

1528 Red Cap Road, Orleans area

Project Description: Sawtooth Ridge, LLC seeks a Special Permit (SP16-216) for an existing 6,700 square foot (SF) mixed-light cultivation operation consisting of four (4) greenhouses utilizing low-wattage lighting and light deprivation to obtain up to two (2) harvests annually. A Special Permit is requested for a setback reduction to Six Rivers National Forest to less than 600 feet.

Recommendation: Find that the Planning 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 Special Permits based on evidence in the staff report, and adopt the Resolution approving the proposed Sawtooth Ridge, LLC project subject to the recommended conditions.

Attachments: [PLN-11378-SP Staff Report](#)

6. Danny King, Conditional Use Permit

Record Number PLN-12231-CUP

Assessor's Parcel Number 206-451-002

467 Corbett Ranch Lane, Carlotta, CA

Project Description: A Conditional Use Permit for 5,000 square feet new outdoor commercial cannabis cultivation within five (5) greenhouses. Water is sourced from an onsite permitted groundwater well. Proposed water usage for irrigation is 19,540 gallons annually. The power source is PG&E.

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 Danny King Conditional Use Permit subject to the recommended conditions.

Attachments: [PLN-12231-CUP Staff Report](#)
[12231 Danny King SUPPLEMENTAL #1.pdf](#)

7. Jason Miller, Conditional Use Permit
Application Number 11484
Record Number CUP16-262, PLN-11484- SP
Assessor's Parcel Number (APN) 210-144-008
Dinsmore area

Project Description: A Conditional Use Permit for 18,120 square feet of existing outdoor cannabis cultivation and ancillary processing activity. Water for irrigation is sourced exclusively from an existing rainwater catchment pond with a capacity of 720,000 gallons.

Recommendation: Continue the Jason Miller Conditional Use Permit application to a date uncertain.

8. Parnell Kaiser and Michelle Walker, Conditional Use Permit and Special Permit
Record Number PLN-11401-CUP
Assessor's Parcel Number (APN) 107-104-010
42808 Mattole Road, Honeydew, CA 95545

Project Description: A Conditional Use Permit for 31,750 square feet of existing full-sun outdoor. Propagation occurs in a 600 foot area of an existing barn. Water for irrigation is sourced from a diversion on Woods Creek and a diversion from an unnamed creek. The applicant proposes a 1-million gallon rainwater catchment pond. A Special Permit is requested to allow for the existing stream diversion.

Recommendation: Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana 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 Permits based on evidence in the staff report and adopt the Resolution approving the proposed Parnell Kaiser and Michelle Walker project subject to the recommended conditions.

Attachments: [PLN-11401-CUP Staff Report](#)

9. MMF Management II, LLC Conditional Use Permit and Special Permit

Record Number PLN-11188-CUP

Assessor's Parcel Number (APN) 033-130-005

3450 E Branch Road, Garberville, CA

Project Description: A Conditional Use Permit for a 11,500-square foot (SF) mixed light cannabis cultivation operation composed of five greenhouses. There is an additional 1,196 SF greenhouse used as a propagation nursery. A Special Permit is also requested for the continued use and maintenance of the two points of diversion 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 (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 MMF Management II, LLC, Conditional Use Permit and Special Permit as recommended by staff subject to the recommended conditions.

Attachments: [PLN-11188-CUP Staff Report_1](#)

[PLN-11188-CUP Staff Report_2](#)

F. ITEMS PULLED FROM CONSENT**G. CONTINUED PUBLIC HEARING**

1. 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.

Recommendation: Continue the item to a date uncertain that will be noticed separately to allow additional time for public notice of the public hearing to discuss the proposed zoning map changes.

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

Record Number: PLN-11598-CUP

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

12023 Wilder Ridge Road, Ettersburg area

A Conditional Use Permit for an existing 14,247 square feet (sf) of mixed light cannabis cultivation and a Special Permit for activity within the Streamside Management Area (SMA) of the Mattole River. Water for irrigation is sourced from a point of diversion on the Mattole River and a rainwater catchment pond. Total water storage capacity is 561,000 gallons with the pond providing up to 400,000 gallons and hard tanks providing 161,000 gallons. Drying and curing would occur on-site in 2,400 square foot drying facility and further processing would occur at a licensed 3rd party facility.

Recommendation: Find that there is evidence of no more than 12,600 square feet of pre-existing cultivation on the property, and 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 for a total of 12,600 square feet of mixed-light cultivation based on evidence in the staff report, and adopt the Resolution approving the proposed Soul Arc Solutions, Inc. Conditional Use Permit and Special Permit for 12,600 square feet of cultivation subject to the recommended conditions.

Attachments: [PLN-11598-CUP Staff Report.pdf](#)
[Attachment 4a WRPP.pdf](#)
[Supplemental #1 Soul Arc Solutions 11598.pdf](#)

2. Industrial Hemp Ordinance Workshop

Case # PLN-2019-15590

Project Description: Proposed zoning ordinance amendments to allow cultivation of Industrial Hemp and other Industrial Hemp activities in Humboldt County. The proposed zoning ordinance amendments would establish the types, location and performance standards for all Industrial Hemp activities in the unincorporated areas of Humboldt County, including the Coastal Zone.

Recommendation: Find that the Commission has considered the Addendum to the adopted Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for prohibiting cultivation of Industrial Hemp and allowing distribution, testing, manufacturing and sale of industrial hemp through the CCLUO based on evidence in the staff report and public testimony, and adopt a Resolution recommending the Board of Supervisors approve the zoning ordinance amendments as recommended by staff.

Attachments: [PLN-2019-15590 Hemp OR Staff Report.pdf](#)
[PC Supplemental 1 Public Comments on Hemp OR.pdf](#)

CORRESPONDENCE

Correspondence submitted at the meeting, added for the record.

1. Email from Robert Sutherland

Attachments: [Correspondence from Robert Sutherland.pdf](#)

I. ADJOURNMENT**J. NEXT MEETINGS**

NOVEMBER 7, 2019

Persons wishing to file documentation on any agenda item for the official record must submit an original and fourteen (14) copies of each document to the Planning Commission Clerk, 3015 H Street in Eureka.

The Chamber is wheelchair accessible, and disabled parking is available in the lot on K Street, between Fourth and Fifth Streets. If you are a person with a disability, and you need disability-related modifications or accommodations to participate in this meeting, please contact the Planning Commission Clerk at 707-445-7541, or 707-268-3792 (fax). Requests for such modifications or accommodations must be made at least three full business days before the start of the meeting.